



CITY OF WHITEWATER PLAN AND ARCHITECTURAL REVIEW COMMISSION

Agenda

August 14, 2017

City of Whitewater Municipal Building
Community Room

312 W. Whitewater St., Whitewater, Wisconsin

6:30 p.m.

| | |
|-----|---|
| 1. | Call to order and Roll Call. |
| 2. | <u>Hearing of Citizen Comments.</u> No formal Plan Commission Action will be taken during this meeting, although issues raised may become a part of a future agenda. Specific items listed on the agenda may not be discussed at this time; however citizens are invited to speak to those specific issues at the time the Plan Commission discusses that particular item. |
| 3. | Review and approve the Plan Commission minutes of June 12, 2017 and July 10, 2017. |
| 4. | Hold a public hearing for a conditional use permit for a change in ownership for a car dealership and repair facility at 1389 W. Main Street for Burtness Chevrolet (Matt Bowditch). |
| 5. | Hold a public hearing for a conditional use permit for a change in ownership for a car dealership and repair facility at 1421 W. Main Street for Burtness Chevrolet (Matt Bowditch). |
| 6. | Discussion of landscaping at 122 N. Prince Street (Ryan Hughes). |
| 7. | Conceptual review of a proposed plat for the vacant land on the west side of N. Tratt Street (includes tax parcel numbers: 004-0515-3233-008 and D W 600009 for Ryan Hughes). |
| 8. | Hold a public hearing for consideration of a conditional use permit to allow for conversion of a single family home into a duplex at 209 N. Prairie Street for RLA Properties (Randall Aschbrenner). (The property is currently owned by Geoff Hale.) |
| 9. | Review Extra-Territorial Jurisdiction Application form. |
| 10. | Information Items: a. Possible future agenda items. b. Next regular Plan Commission Meeting –September 11, 2017 |
| 11. | Adjournment. |

Anyone requiring special arrangements is asked to call the Zoning and Planning Office 24 hours prior to the meeting. Those wishing to weigh in on any of the above-mentioned agenda items but unable to attend the meeting are asked to send their comments to c/o Neighborhood Services Director, 312 W. Whitewater Street, Whitewater, WI, 53190 or jwegner@whitewater-wi.gov.

The City of Whitewater website is: whitewater-wi.gov

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
June 12, 2017 and reconvened June 19, 2017

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Call to order and roll call.

City Planner Chris Munz-Pritchard called the meeting of the Plan and Architectural Review Commission to order at 6:30 p.m.

Present: Greg Meyer, Tom Hinspater, Kristine Zaballos, Lynn Binnie, Sherry Stanek, Tom Miller (Alternate). Absent: Daniel Comfort, Bruce Parker. Others: Chris Munz-Pritchard (City Planner), Wallace McDonell (City Attorney).

Election of Chairperson, Vice-Chairperson, Plan Commission Representative to the Community Development Authority, Plan Commission Representative to the Urban Forestry Commission, and Plan Commission Representative to the Technology Park Architectural Review Committee. Moved by Stanek and seconded by Miller to nominate Greg Meyer as Chairperson. Aye: Stanek, Miller, Binnie, Hinspater, Zaballos. No: none. Abstain: Meyer. Motion approved. Moved by Zaballos and seconded by Stanek to nominate Lynn Binnie for Vice-Chairperson. Aye: Zaballos, Stanek, Hinspater, Miller, Meyer. No: none. Abstain: Binnie. Motion approved. Moved by Stanek and seconded by Miller to nominate Bruce Parker for Plan Commission Representative to the Community Development Authority. Aye: Stanek, Miller, Binnie, Hinspater, Meyer. No: Zaballos. Motion approved. Moved by Zaballos and seconded by Miller to nominate Sherry Stanek for Plan Commission Representative to the Urban Forestry Commission. Aye: Zaballos, Miller, Hinspater, Binnie, Meyer. No: none. Abstain: Stanek. Motion approved. Moved by Stanek and seconded by Zaballos to nominate Greg Meyer for the Plan Commission Representative to the Technology Park Architectural Review Committee. Aye: Stanek, Zaballos, Miller, Binnie, Hinspater. No: none. Abstain: Meyer. Motion approved.

Hearing of Citizen Comments. No Comments.

Public hearing for an amendment to the Conditional Use Permit for an auto mechanic shop to be located at 211 E. Main Street for Juan Daniel Camacho. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard went through her Planner Report recommendations which included the City Planner Report from 2001 for a conditional use for auto repair. That conditional use expired in 2002. She also noted that the property is made up of two lots which should be combined. She would like that correction within 90 days of the conditional use permit approval. There was no sign information on file. A sign permit will be required within 30 days of the conditional use permit approval.

Chairperson Meyer opened the hearing for public comment.

Norman Engotte, from the adjacent property at 113 E. Main Street, stated that there is a problem with driving across his property to get to 211 E. Main Street. There are 2 rods where the property line is.

Plan Commission Member Binnie noted that the ownership and operation was different in 2001. The City Attorney has stated that it is the burden of the applicant to make sure they know when the conditional use permit is not in effect. Binnie felt it should be the City that keeps track of that. Binnie also asked about hours of operation for this business. He also emphasized that all repairs are to be done inside the building. He noted that former City Planning Consultant Mark Roffers stated that in the Central Business District this type of business is not particularly appropriate. It does look better with the City plantings. We need to make sure they are maintained. The weeds close to the property line must be taken care of or plant grass in that area.

City Planner Munz-Pritchard explained that the Neighborhood Services Staff is working on the conditional use permits to make sure everything that is supposed to be done is done. She assured the Plan Commission that we are getting a system in place to keep track of conditional use permits.

Dean Zweifel owned the property since 1961 up until about 1 ½ years ago, when he sold by land contract to Juan Daniel Camacho. He sold by land contract because banks don't like to loan money for service stations.

Plan Commission Member Stanek stated that the City maintains the plantings that were put into the public right of way. She has spoken to the owner of the business and told him that the City ordinance does not allow weeds taller than 6 inches. There are old railroad ties and broken asphalt on the property. It is the property owner's responsibility to take care of the weeds on his property. There are too many cars there and some are parked on the grass. He has the responsibility to keep up this area as it is part of the east gateway into the City.

Plan Commission Member Binnie stated that we should ask for there to be striping for no more than six vehicles.

Plan Commission Member Zaballos noted that the Fort Community Credit Union donated dollars (\$20,000) to establish this area as the east gateway into the City. Sculptures have been installed and there will be extensive landscaping put in this area. With these improvements, the City is looking to the property owners to raise their properties to a higher standard. As far as the hours of operation, 8 a.m. to 5 p.m. does not work for a lot of people to use their services as they are working as well. She would like the City Planner to work with the property owner to establish reasonable hours of operation.

Moved by Binnie and seconded by Zaballos to conditionally approve the conditional use permit for an auto mechanic shop to be located at 211 E. Main Street for Juan Daniel Camacho, subject to the City Planner conditions. The City Planner is to work with the owner to establish

reasonable hours of operation. All vehicle repairs are to take place inside the building. Striping will be provided for parking of vehicles, no more than 6 vehicles. Aye: Binnie, Zaballos, Stanek, Miller, Hinspater, Meyer. No: none. Motion approved.

Public hearing for an amendment to the Conditional Use Permit in a B-2 (Central Business) Zoning District, to build two residential units on the second floor, (both 3 bedroom units) at 109 S. Second Street for Robert E. Freiermuth. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard explained that the building at 113 S. Second Street is a one story building with a basement. There are two tenant spaces in the building currently (a former pizza place and storage area). At one time it was a bus depot and another time a place of worship. Bob Freiermuth would like to put a second floor addition on the building. The height of the building would then be 35.5 feet tall. The building would have a sprinkler system. This property would need to be included in the agreement with the adjacent property owners who share the enclosed dumpster in the parking area. Bob Freiermuth would also need to have an agreement with the adjacent property owner of 184 W. Main Street for snow removal. The proposed building also needs Fire Department approval.

Bob Freiermuth explained that this is a unique opportunity in a unique location. The basement area will be for his personal use. This is an urban building with a lot of potential. It will be a fun project.

Plan Commission Members voiced concerns of: a bathroom for each tenant space on the first floor; allow a reasonable time to not have to plumb the 2nd bathroom; Occupant should be able to dictate what they need; Setback of the upstairs from the existing building; will the existing windows and stucco stay on the east side of the building?; how far a drop is it from the door on the Main Street building to where the deck is?.

City Planner Chris Munz-Pritchard explained that there are two separate tenant spaces. There will be major renovations. She would like the second tenant bathroom to be plumbed in now to prevent changes. She did not want the space to become just storage. The building needs to be used for the intent of the downtown.

Bob Freiermuth explained that he did not put the second bathroom in the plan because he currently does not have a tenant for that space and does not want to limit what goes in there, or have to change it in order to accommodate the new tenant.

City Attorney McDonell stated that it would be reasonable to extend the time for the additional bathroom facilities for example within two years unless the applicant comes back to the Plan Commission.

Bob Freiermuth requested 2 years from date of occupancy. He explained that the plans will go to the State for approval. There is no easement at this time. The entrances and exits are for fire purposes. The window locations will stay as they are. The code for bedrooms is to have 9% of the square feet for light and ventilation.

Jhana Healy, architect from Design Alliance, explained that the proposed south wall of the building is 10 feet from the existing building.

Dave Saalsaa lives at 184 W. Main Street #3, in the affected building. He has rented to mostly young professionals. He has rented to very few students. Some of his concerns were: college student rentals; the deck or patio and potential noise; property owner right to protest that; and the light and ventilation for his building; no smoking on the balconies is hard to enforce. His building has a membrane roof. A cigarette could burn through the membrane and cause leaks. In order to fix the membrane under warranty, a certified repair man would need to do the work, which is costly. Saalsaa stated that the project looks great, but his tenants will be disappointed with no view. The two windows that face Bob's building are a kitchen and bedroom window. His other concerns are for the 10 foot wide alley and snow removal; concerns of noise from the patio areas; fear of people running around on his roof. His exit door has an alarm on it if it gets opened. His building was built in 1883. The same windows and doors have been there for 134 years.

Plan Commission Member Stanek asked if there was a way to move more than 10 feet away. She explained her vested interest and love of the community and concerns of the citizens who have lived here a long time watching their neighborhoods change. She wanted to speak on behalf of the citizens.

Bob Freiermuth explained that the U.W. is growing by 175 people per year. He is not asking to do anything that he would not move into. Leases would coincide with the school year. He understands the concern. He and his family moved from Palmyra to Whitewater because of the school district. He belongs to a committee GWC that is working to improve the ACT scores of the Whitewater School District. They are hoping to draw families to Whitewater.

***The Plan Commission meeting of June 12, 2017 ended when the electricity went out at approximately 7:35 p.m. The meeting was reconvened on June 19, 2017 at 5:30 p.m.**

CITY OF WHITEWATER
PLAN AND ARCHITECTURAL REVIEW COMMISSION
Whitewater Municipal Building Community Room
Reconvened June 19, 2017

**ABSTRACTS/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE OFFICIAL
ACTIONS OF THE PLAN AND ARCHITECTURAL REVIEW COMMISSION**

Call to order and roll call.

Chairperson Meyer called the reconvened meeting of the Plan and Architectural Review Commission to order at 5:30 p.m.

Present: Greg Meyer, Kristine Zaballos, Bruce Parker, Lynn Binnie, Sherry Stanek, Tom Miller (Alternate). Absent: Daniel Comfort, Tom Hinspater. Others: Chris Munz-Pritchard (City Planner), Wallace McDonell (City Attorney).

The previous meeting was cut short at item number 6 during the public comment. The item was to hold a **public hearing for an amendment to the Conditional Use Permit in a B-2 (Central Business) Zoning District, to build two residential units on the second floor, (both 3 bedroom units) at 109 S. Second Street for Robert E. Freiermuth.**

City Planner Chris Munz-Pritchard explained what had happened at the last meeting, read her recommendations and noted that the Plan Commission had been given updated plans.

Pete Weston, Architect from Design Alliance, represented Robert Freiermuth at the meeting. The balcony across the back of the building may or may not be developed.

Rod Dalee, current owner of the building, stated that the building needed a second floor for safety purposes. A small building next to a two story building creates problems. The roof is leaking.

Dave Saalsaa, owner of 186 W. Main Street, had concerns of grills and beer cans on the roof. He does not want anyone on the roofs. They are not to be used to party. He wants to lessen the impact for his tenants. He is not comfortable with anything that allows access to the roof and noise.

Plan Commission Members voiced concerns of building code requirements; has the Fire Department looked at the plans?; Would like a sense of sign off from the Fire Department; load calculations; If the first floor is not completed within 18 months of occupancy of the second floor, Bob Freiermuth would need to request an extension; balcony issues (A-2) take out front balcony and privacy fence and square up building; didn't think a balcony on the front would make a difference in renting if they have a balcony on the back; if the front balcony is removed, there would be better air flow, light and ventilation for the adjacent property; if there is an issue with information on a project, it should be brought to staff.

City Planner Chris Munz-Pritchard explained that the conditional use is for the use of the building, not for building code. She asked to have questions about the projects go through the Neighborhood Services Department instead of seeking out answers from other sources. This would allow for documentation of the information.

Pete Weston explained that the plans will need to go through the State. They will have to put in what is required for ADA bathrooms. The plans will be done as engineering and construction drawings once approved by the Plan Commission. The project needs to be financially feasible.

Chairperson Meyer closed the public comment.

Plan Commission Members stated that the southwest balcony should be allowed with the provision that if there are x number of verified complaints, it would be closed off and only used for aesthetics.; Noise violations within a given amount of time, if a problem, won't be able to use the balcony; the balcony would be exclusively for unit A's use.; If more than two verified complaints (citations or violations of the conditional use permit) cited by the Police Department

or the Neighborhood Services Department to any tenants of unit A that so long as one or more of those tenants occupy that unit, they will not be allowed to use the balcony.

City Attorney McDonell stated that he would work with Chris Munz-Pritchard on the language.

Moved by Binnie and seconded by Zaballos to conditionally approve the conditional use permit with the Planner's recommendations as revised adding to #6 the stipulation that a second bathroom be added to the vacant unit of the building within 18 months of occupancy of the residential units or an extension would be required by the Plan Commission. The Fire Department approval must be attained. Aye: Binnie, Zaballos, Stanek, Miller, Parker, Meyer. No: none. Motion approved.

Dave Saalsaa asked to be notified of the expected time of construction.

Public hearing to consider a change in the District Zoning Map for an amendment to the zoning of the property located at 234 N. Prince Street (The Element) to impose R-3A University Residential Density Overlay District under Chapter 19.22 on the property for Andrew Reahm. This item is combined with the following item.

Public hearing for a conditional use permit to increase the number of dwelling units at 234 N. Prince Street (The Element) by adding 5 more units for CatCon Whitewater, LLC. (Andrew Reahm). Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard read her Planner Report. The stormwater will need approval by the City Engineer for impervious surface. The final engineering will need to be approved and the Urban Forestry Commission will need to review the planting buffer/screening.

Andrew Reahm was present to answer any questions.

Chairperson Meyer opened for public comment. There were no public comments.

Plan Commission Members voiced concerns of parking: how many stalls were removed from inside the building?; and clarified that the change in zoning from R-3 to R-3A changed the requirement for parking from 80% to 65%.

Andrew Reahm stated that 18 stalls were removed from the building and 5 stalls were added to the parking lot.

Moved by Binnie and seconded by Meyer to recommend to the City Council to approve the change in the District Zoning Map for an amendment to the zoning of the property located at 234 N. Prince Street (The Element) to impose the R-3A University Residential Density Overlay District under Chapter 19.22. Aye: Binnie, Meyer, Parker, Zaballos, Stanek, Miller. No: None. Motion approved.

Moved by Binnie and seconded by Parker to conditionally approve the conditional use permit to increase the number of dwelling units at 234 N. Prince Street (The Element) by adding 5 more units for CatCon Whitewater, LLC. including the City Planner recommendations and with the change to #8 to add 19.21.070(B) which will need the approval of the stormwater by the City

Engineer. The City Planner will handle the approval of all the unresolved issues of recommendation #5. (See attached Conditional Use Permit.) Aye: Binnie, Parker, Meyer, Zaballos, Stanek, Miller. No: None. Motion approved.

Public hearing for the Plan Commission of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, will consider a request for a change in the District Zoning Map to change the temporary zoning of R-3 for the parcels listed below to a permanent zoning of R-3 (Multi-family Residence District) under Chapter 19.21 of the Zoning Ordinance of the City of Whitewater upon their annexation into the City of Whitewater.

Property Address:

Tax ID #'s:

Property Owner:

**Vacant land on west side
of N. Tratt Street**

**004-0515-3233-008
(Town of Cold Spring)**

Carl Kienbaum*

**D W 600009
(Town of Whitewater)**

Kienbaum Family Trust*

***Annexation of Land pending and Land sale pending to Ryan Hughes.**

This item was postponed to a future meeting. Notices will be sent to neighboring property owners at that time.

Discussion of landscaping at 122 N. Prince Street (Ryan Hughes). This item was postponed to a future meeting.

Public hearing to review and make recommendation to the Common Council for proposed amendments to the City of Whitewater Sign Ordinance concerning on-premise directional signs. Chairperson Meyer opened the public hearing.

City Planner Chris Munz-Pritchard went over the background of the proposed amendments to the City of Whitewater Sign Ordinance concerning on-premise directional signs.

Chairperson Meyer opened for public comment. There was no comment. Chairperson Meyer closed the public comment.

It was noted that # B. should read "directional" signs.

Moved by Binnie and seconded by Stanek to recommend to the City Council the proposed amendments to the City of Whitewater Sign Ordinance concerning on-premise directional signs with the correction. Aye: Binnie, Stanek, Parker, Meyer, Zaballos, Miller. No: None. Motion approved.

Presentation on impervious surface. Sherry Stanek wants to make people aware of the condition of Cravath and Trippe Lakes. To provide public education and to have a public service announcement to let people know that the things that go into the storm sewer go into our lakes. When grass is mowed and blown into the street, it ends up in the storm sewer and into the lakes, feeding the algae and killing the wildlife and fish. The City has built a beautiful park and it is

very expensive to dredge the lake. When Plan Commission reviews proposals, we need to make sure that Plan Commission addresses concerns. Anything we can do is a helpful thing.

Plan Commission Member Binnie appreciated the report. How do you quantify where to draw the line?

City Planner Chris Munz-Pritchard stated that the NSO's and CSO's catch people blowing their yard debris into the street (have it on camera) and let people know they can't do that.

Plan Commission Member Stanek added that Plan Commission can remind developers that they cannot do it.

Information Items:

- a. Possible future agenda items. City Planner Chris Munz-Pritchard explained that DLK Enterprises Inc. (Mike Kachel, President), will be coming back with changes to the façade at 1037 W. Starin Road.

Plan Commission Member Miller asked that the landscaping be reviewed for 122 N. Prince Street in July.

Chris Munz-Pritchard explained that the developer was working on a plat map and that the review of the landscaping would be put on the same meeting.

It was asked that the review of the landscaping be put on the agenda prior to the review of the plat.

Plan Commission Member Binnie reminded the Plan Commission of the joint meeting on June 28, 2017 with the City Council and the CDA. The Walworth Ave. property discussion will not be on the agenda for this meeting. He suggested that the CDA director come talk to the Plan Commission about any potential for TIF on the Walworth Ave. property.

- b. Next regular Plan Commission Meeting – August 14, 2017.

Moved by Stanek and seconded by Miller to adjourn. The motion was approved by unanimous voice vote. The meeting adjourned at approximately 8:00 p.m.

Chairperson Greg Meyer

MEMORANDUM

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard City Planner

Date: August 14th 2017

Re: **Item # 4 & #5** Proposed a Conditional Use Permit for the existing Automotive Sale, Servicing and Repairs at 1421 E Main Street 1421 E Main Street and 1389 E Main Street for Matt Bowditch.

| Summary of Request | |
|-----------------------------|---|
| Requested Approvals: | Automotive Sale, Servicing and Repairs |
| Location: | 1421 E Main Street and 1389 E Main Street |
| Land Use: | Automotive Sale, Servicing and Repairs |
| Current Zoning: | B-1 Community Business |

Description of the Proposal:

This is a proposed Conditional Use Permit (CUP) to document the use of the Automotive Servicing and Repairs building located at 1421 E Main Street and 1389 E Main Street.

A CUP for a Automobile and small engine vehicle sales or rental facilities, including incidental repair and service within the principal building is required per 19.27.030 of the City ordinance.

| Address | Tax ID | Approximate Acreage |
|--------------------|-------------|---------------------|
| 1421 W Main Street | /A301400001 | 3.66 |
| 1389 W Main Street | /WUP 00160G | 2.87 |

The buildings are located on West Main Street just East of the intersection of Indian Mound Parkway and Main Street. The two sites have been Automotive Sale, Servicing and Repairs with 1415 W Main Street located between the two locations.



| Address | Tax ID | Approximate Acreage |
|--------------------|-------------|---------------------|
| 1389 W Main Street | /WUP 00160G | 2.87 |

The file indicates that the building was constructed during the late 1970s. The building was originally the Eagle Food Store, followed by a Piggley Wiggley. The use changes from a grocery store to Lakeside Pontiac Dealership to Stark Automotive Group, and then changed hands to Zingg Auto. The following are the review site plans for the property:

March 11th 1993, the Lakeside Pontiac Dealership proposes to relocate to the location. Discussion includes zoning, lighting for security, but not to affect residential properties and landscaping to make a more attractive parking area. Lakeside changed to Stark Automotive Group.

On February 27th 1997 a variance is granted to Stark Pontiac Buick GMC for an increased directional sign. The same variance is granted on September 22nd 2005 during the Board of Zoning Appeals. The case presented by Zingg Auto Group LLC to change to a non-conforming wall sign from “Stark” to Zingg”, requesting a variance to Section 19.54.080(A)(1) which requires that “no non-conforming signs shall be altered or moved to a new location without being brought into compliance with the requirements of the sign ordinance”.

On September 12th 2005 there is a public hearing for an amendment to the existing conditional use permit for the transfer of the auto dealership and body shop from Stark automotive group to Zingg Auto Group LLC. City Planner Mark Roffers recommended approval of the conditional use permit to allow the proposed use subject to the following:

1. The petitioner shall meet landscaping requirements of the April 13th 2005 agreement with the City.
2. By 10:00 PM only building mounted security lighting and up to 25% of all other outdoor lighting fixtures may remain illuminated.

On April 13th 2005 the city enters into an agreement with Zingg Auto Group LLC which requires the following conditions (paraphrased):

1. Installation of landscaping berm along the rear of said property to screen the property from adjacent residential.
2. Installation of a dumpster enclosure with concrete pad
3. Bituminous concrete pavement of all parking surface areas
4. Landscaped parking island with concrete curb and gutter as shown on the submitted plans
5. Installation of a decorative retaining wall along the front of the property to be incorporate with planned vehicle display area
6. Relocation of the fire hydrant at the front of the property

| Address | Tax ID | Approximate Acreage |
|--------------------|-------------|---------------------|
| 1421 W Main Street | /A301400001 | 3.66 |

The file indicated that the building was constructed during 1997. The intended use during construction is for a Automotive Sale, Servicing and Repairs. The following are the review for the proposed dealership.

On January 12th 1997 a memorandum containing conditions for the proposal was written by Rick Roll (paraphrased) to the Plan and Architectural Review Commission.

Review the proposed dealership comments:

1. The site plan should be reviewed to provide interconnected access between the site and adjacent business. Recommend a single shared driveway for both sites.
2. Follow Strands recommendation that the proposed driveway into Indian Mounds Parkway be redesigned to provide for safer and easier access to site.
3. More information on signage.
4. A minimum of four more canopy trees to be added to the landscaping plan along with exterior of the parking area.
5. Lighting plans
6. More information needs to be provided for the building elevations and external appearance of building.

On February 6th, 1997 a memorandum containing conditions for the proposal was written by Rick Roll (paraphrased) to the Plan and Architectural Review Commission.

Review the proposed dealership comments:

1. Proposed driveway access to site from West Main Street is unacceptable as proposed.
2. Follow Strands recommendation that the proposed driveway into Indian Mounds Parkway be redesigned to provide for safer and easier access to site.
3. Proposed signage does not comply with the City signage regulation.
4. Recommend that only cut-off type luminaries be used for all light fixtures, no light shall spill off the site.
5. More information needs to be provided for the building elevations and external appearance of building.
6. The landscaping plan should be reviewed to include a six foot-high decorative wood fence along the south property line. Landscaping should be provided along the outside of the fence.
7. The parking lot along West Main Street is located too close to the side walk. This parking area should be redesigned so that the paved area is set back from the existing frontage per City pavement set back requirement.

On July 28th 1997 a memorandum containing conditions for the proposal was written by Rick Roll to the Plan and Architectural Review Commission.

Review the proposed dealership comments:

1. I recommend the two additional maples be added along the west side of the property to fill in the open gaps between the Techny Arborvitae and the three Norway maples. The property owner shall be responsible for installing and maintaining all landscaping materials. Should any landscaping plants die after installation, the property owner shall be responsible for replacing them as directed by the City of Whitewater.
2. The property owner shall provide the City with written confirmation that the shared driveway access is acceptable to the owner of the adjacent hardware store property.

On January 6th 1999 a memorandum containing conditions for the proposal was written by Mark Roffers (paraphrased) to the Plan and Architectural Review Commission.

Review the proposed dealership comments:

1. The lighting plans should show illumination levels to the property line.
2. Plans should be consistent with the preliminary plans.
3. Illumination levels within the parking lot and on the building itself need to be shown.
4. Consideration should be given to reducing both the number of standards and the number of light fixtures, which should contribute towards addressing issues one and two.
5. All building and pole lighting should have cut off luminaries.

On February 18th 1999 a memorandum containing conditions for the proposal was written by Mark Roffers to the Plan and Architectural Review Commission.

Review the proposed dealership comments:

6. The applicant shall post a performance bond or letter of credit in the amount of \$1,000 for potential additional landscaping near the south property line. If, in the determination of the City within a reasonable period of time after installation of lighting and currently proposed landscaping the currently proposed landscaping will not sufficiently screen lighting from nearby residentially zoned properties, additional landscaping shall be installed according to a plan mutually agreed upon between the City and property owner. The performance bond or letter of credit shall be released once such additional landscaping is installed according to the plan or the City determined that no additional landscaping is required.
7. All pole lighting shall be turned off no later than 9 P.M. every evening
8. If the applicant request permission for additional lighting in the future, the Plan Commission shall schedule a review.

PLANNER'S RECOMMENDATIONS:

I recommend the Commission grant *conditional approval* for the request to allow for a Conditional Use Permit (CUP) at XXXXXX subject to the following conditions of approval:

1. General requirements for the R-2 district shall apply. This includes but is not limited to:
2. Any other conditions identified by the Plan Commission.

SUGGESTED FINDINGS TO BE MADE BY THE PLAN COMMISSION

Conditional Use Permits are required to be reviewed in relation to a set of standard criteria presented in the Zoning Ordinance (Section 19.66.050). See the following page for suggested findings:

| Analysis of Proposed Conditional Use Permit for: 113 E Main Street | | |
|---|------------|---|
| Conditional Use Permit Review Standards per Section 19.66.050: | | |
| STANDARD | EVALUATION | COMMENTS |
| 1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property. | Yes | This is an existing use. |
| 2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | Yes | Needs improvement. Noted in requirements. |
| 3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance. | Yes | This is an existing use. |
| 4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan. | Yes | This is an existing use. |
| 5. The conditional use and structures are consistent with sound planning and zoning principles. | Yes | This is an existing use. |



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th day of August 2017 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit, to allow for the change of ownership of a car dealership and repair facility at 1389 W. Main Street for Burtness Chevrolet (Matt Bowditch)

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540


Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-------------|--------------------------------|-----------------------|-------------------------|-------------|-------|------------|
| /A 87600001 | EKGA PROPERTIES LLC | | N7470 KETTLE MORaine DR | WHITEWATER | WI | 53190-0000 |
| /A276600001 | AKSHAR HOSPITALITY LLC | | 203 LILLIAN PLACE | BARTLETT | IL | 60103-0000 |
| /A276600002 | FRAWLEY ENTERPRISES WHITEWATER | | PO BOX 630 | WHITEWATER | WI | 53190-0000 |
| /A301400001 | MBNAB LLC | | 802 GENESIS DR | ORFORDVILLE | WI | 53576-0000 |
| /A301400002 | EKGA PROPERTIES LLC | | N7470 KETTLE MORaine DR | WHITEWATER | WI | 53190-0000 |
| /A332600001 | HALEY INVESTMENTS LLC | | 324 LAKE SHORE DR | LAKE MILLS | WI | 53551-0000 |
| /BU 00024 | PATRICIA I WOZNAK | | 206 S WOODLAND DR | WHITEWATER | WI | 53190-0000 |
| /BU 00025 | JONATHAN THOMAS MARSHALL | MICHELLE LEA MARSHALL | 214 WOODLAND DR | WHITEWATER | WI | 53190-0000 |
| /BU 00026 | JERINA PANDELI | | 220 S WOODLAND DR | WHITEWATER | WI | 53190-0000 |
| /BU 00027 | DEBORA L GRUBE | | 3580 LA JOLLA DR | CLERMONT | FL | 34711-0000 |
| /BU 00028 | JAMES D SCHNAEDTER | REBECCA M SCHNAEDTER | 240 S WOODLAND DR | WHITEWATER | WI | 53190-0000 |
| /BU 00029 | DENAY TRYKOWSKI | | 248 S WOODLAND DR | WHITEWATER | WI | 53190-0000 |
| /MM 00006 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00007 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00008 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00009 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00010 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00011 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00012 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00013 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00014 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00015 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00016 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00017 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00018 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00019 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /WUP 00159 | DLK FARM SERVICE INC | 1398 MAIN ST | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00160B | DLK FARM SERVICE INC | 1398 W MAIN ST | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00160G | MBNAB LLC | | 802 GENESIS DR | ORFORDVILLE | WI | 53576-0000 |



Neighborhood Services Department
Planning, Zoning, GIS, Code Enforcement
and Building Inspections

www.whitewater-wi.gov
(262) 473-0143

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 1389 W Main St
Owner's Name: MBHAB LLC
Applicant's Name: Watt Bouditch
Mailing Address: 3703 N Hanky Rd Milton WI 53563
Phone #: 262 473 6060 Email: WATTJB@Burtinssllhwy.com
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: Auto Dealership
Zoning District: B1
Proposed Use: Auto Dealership

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Conditions

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy** (include color where possible) site plan copies, drawn to scale and dimensioned.

STANDARDS FOR REVIEW AND APPROVAL

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

| STANDARD | APPLICANT'S EXPLANATION |
|--|-------------------------|
| A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property. | YTS |
| B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | Existing |
| C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance. | YTS |
| D. That the conditional use conforms to the purpose and intent of the city Master Plan. | YTS |

**Refer to Chapter 19.66 of the City of Whitewater Municipal Code, entitled CONDITIONAL USES, for more information.

Applicant's Signature: _____

Date: _____

Printed: _____

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on 7-26-17. Received by: J. W. Egnor Receipt #: 6.013386
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-3-17.
- 3) Notices of the Public Hearing mailed to property owners on 8-1-17.
- 4) Plan Commission holds the PUBLIC HEARING on 8-14-17. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals to understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.

Hold a neighborhood meeting for larger and potentially more controversial Projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the Neighborhood Services Manager / City Planner of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.

Typical City Planning Consultant Development Review Costs

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City's Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City's policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking the general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant's range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called "Tips for Minimizing Your Development Review Costs" with information on how the applicant can help control costs.

| Type of Development Review Being Requested | Planning Consultant Review Cost Range |
|--|---------------------------------------|
| Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations) | |
| When land use is a permitted use in the zoning district, and for minor downtown building alterations | Up to \$600 |
| When use also requires a conditional use permit, and for major downtown building alterations | \$700 to \$1,500 |
| Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building) | |
| When land use is a permitted use in the zoning district | \$700 to \$2,000 |
| When land use also requires a conditional use permit | \$1,600 to \$12,000 |
| Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building) | Up to \$600 |
| Rezoning | |
| To a standard (not PCD) zoning district | \$400 to \$2,000 |
| To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time | \$2,100 to \$12,000 |
| Land Division | |
| Certified Survey Map | Up to \$300 |
| Preliminary Subdivision Plat | \$1,500 to \$3,000 |
| Final Plat (does not include any development agreement time) | \$500 to \$1,500 |
| Annexation | \$200 to \$400 |

****Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Name of Applicant:

MATT BOWNITCH

Applicant's Mailing Address:

3703 N Hank Rd

Milton WI 53563

Applicant's Phone Number:

608 298 6494

Applicant's Email Address:

MATTB@BurtrussChap.com

Project Information:

Name/Description of Development:

Address of Development Site:

Tax Key Number(s) of Site:

Property Owner Information (if different from applicant):

Name of Property Owner:

MBHAB LLC

Property Owner's Mailing Address:

5211 N Northwood Trail

Saukville WI 53546

Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the Neighborhood Services Department -----

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

A. Application Fee.....\$ _____

B. Expected Planning Consultant Review Cost\$ _____

C. Total Cost Expected of Applicant (A+B)\$ _____

D. 25% of Total Cost, Due at Time of Application.....\$ _____

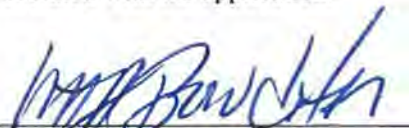
E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

The balance of the applicant's costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.


Section C: Agreement Execution

----- To be filled out by the Applicant and Property Owner -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant's proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.



Signature of Applicant/Petitioner


Printed Name of Applicant/Petitioner


Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th day of August 2017 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit, to allow for the change of ownership of a car dealership and repair facility at 1421 W. Main Street for Burtness Chevrolet (Matt Bowditch)

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540



Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|---------------|-------------------------------|------------------------|------------------------------|-------------|-------|------------|
| /A 87600001 | EKGA PROPERTIES LLC | | N7470 KETTLE MORAIN DR | WHITEWATER | WI | 53190-0000 |
| /A238100001 | MEDICAL HEALTH BUILDING GROUP | | 43 S WATER ST SOUTH | FT ATKINSON | WI | 53538-0000 |
| /A301400001 | MBNAB LLC | | 802 GENESIS DR | ORFORDVILLE | WI | 00005-3576 |
| /A301400002 | EKGA PROPERTIES LLC | | N7470 KETTLE MORAIN DR | WHITEWATER | WI | 53190-0000 |
| /A332600001 | HALEY INVESTMENTS LLC | | 324 LAKE SHORE DR | LAKE MILLS | WI | 53551-0000 |
| /IR 00001 | JEAN M BULA | JOE R BULA | 250 INDIAN MOUND PKWY UT 9 | WHITEWATER | WI | 53190-0000 |
| /IR 00002 | ELIZABETH M ASHER | | 250-8 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /IR 00003 | KENNETH A OTTING TRUST | DOROTHY A OTTING TRUST | 250-7 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /IR 00004 | CAROLE SCHARINGER TRUST | | 250-6 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /IR 00005 | MARY C ALTHAUS TRUST | | 250-5 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /IR 00006 | THOMAS F LANGE | | 250-4 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /IR 00007 | LOLITA A KACHEL TRUST | | 250-3 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /IR 00008 | THADDEUS T DROZDOWSKI | | 250-2 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /IR 00009 | MARY E KETTERHAGEN | | 250 INDIAN MOUND PKWY #1 | WHITEWATER | WI | 53190-0000 |
| /MM 00001 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00002 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00003 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00004 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00005 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00006 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00007 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00015 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00016 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00017 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00018 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00019 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00020 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MM 00021 | CRAIG A POPE | | PO BOX 2467 | JANESVILLE | WI | 53547-0000 |
| /MR 00001 | GORDON J CONVERSE | KATHLEEN A CONVERSE | 251 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /MR 00002 | CASSANDRA K STACHOW | | 249 INDIAN MOUND PKY | WHITEWATER | WI | 53190-0000 |
| /MR 00003 | WILLIAM F SCHULTE | | 241 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /MR 00004 | SANDRA L KNUTESON | | 239 INDIAN MOUND PKWY UNIT D | WHITEWATER | WI | 53190-0000 |
| /MR 00005 | DAVID A ASCHLIMAN | KRISTA L ASCHLIMAN | 231 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /MR 00006 | WALKER TRUST | | 229 INDIAN MOUND PKWY | WHITEWATER | WI | 53190-0000 |
| /WUP 00160B | DLK FARM SERVICE INC | 1398 W MAIN ST | PO BOX 239 | WHITEWATER | WI | 53190-0000 |
| /WUP 00160D4 | INDIAN WOODS LLC | | 1264 HILLCREST LN | FALLBROOK | CA | 92028-0000 |
| /WUP 00160D4A | CITY OF WHITEWATER | | 312 W WHITEWATER ST | WHITEWATER | WI | 53190-0000 |

----- Duplicate Property Owner

1421 W Main Street

| | | | | | |
|-------------|-----------|----------------|-------------|----|------------|
| /WUP 00160G | MBNAB LLC | 802 GENESIS DR | ORFORDVILLE | WI | 53576-0000 |
|-------------|-----------|----------------|-------------|----|------------|

CONDITIONAL USE PERMIT APPLICATION

Address of Property:

1421 W Main St

Owner's Name:

MRNAB LLC

Applicant's Name:

Matt Bowditch

Mailing Address:

3703 N Hanky Rd Milton WI 53563

Phone #:

262 473 3872

Email:

MATTJB@Burtrusschou.com

Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions):

Current Use of Property:

Auto Dealership

Zoning District:

B1

Proposed Use:

Auto Dealership

Existing and Proposed Uses:

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Conditions

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

STANDARDS FOR REVIEW AND APPROVAL

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

| STANDARD | APPLICANT'S EXPLANATION |
|--|-------------------------|
| A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property. | YHS |
| B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | Exists |
| C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance. | YHS |
| D. That the conditional use conforms to the purpose and intent of the city Master Plan. | YHS |

**Refer to Chapter 19.66 of the City of Whitewater Municipal Code, entitled CONDITIONAL USES, for more information.

Applicant's Signature: Matt Bowditch

Date: 7/26/17

Printed: Matt Bowditch

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on 7-26-17. Received by: JWegner Receipt #: 6.013386
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-3-17.
- 3) Notices of the Public Hearing mailed to property owners on 8-1-17.
- 4) Plan Commission holds the PUBLIC HEARING on 8-14-17. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals to understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.

Hold a neighborhood meeting for larger and potentially more controversial Projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the Neighborhood Services Manager / City Planner of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.

Typical City Planning Consultant Development Review Costs

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City's Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City's policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking the general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant's range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called "Tips for Minimizing Your Development Review Costs" with information on how the applicant can help control costs.

| Type of Development Review Being Requested | Planning Consultant Review Cost Range |
|--|--|
| Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations) | |
| When land use is a permitted use in the zoning district, and for minor downtown building alterations | Up to \$600 |
| When use also requires a conditional use permit, and for major downtown building alterations | \$700 to \$1,500 |
| Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building) | |
| When land use is a permitted use in the zoning district | \$700 to \$2,000 |
| When land use also requires a conditional use permit | \$1,600 to \$12,000 |
| Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building) | \$up to \$600 |
| Rezoning | |
| To a standard (not PCD) zoning district | \$400 to \$2,000 |
| To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time | \$2,100 to \$12,000 |
| Land Division | |
| Certified Survey Map | Up to \$300 |
| Preliminary Subdivision Plat | \$1,500 to \$3,000 |
| Final Plat (does not include any development agreement time) | \$500 to \$1,500 |
| Annexation | \$200 to \$400 |

****Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Name of Applicant:

Matt Bouditch

Applicant's Mailing Address:

3703 N Henry Rd

Milton WI 53563

Applicant's Phone Number:

608 250 6494

Applicant's Email Address:

MATTJB@Bouditch.com

Project Information:

Name/Description of Development:

Address of Development Site:

Tax Key Number(s) of Site:

Property Owner Information (if different from applicant):

Name of Property Owner:

MBNAB LLC

Property Owner's Mailing Address:

5211 N Northwood Trail

Janesville WI 53546

Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the Neighborhood Services Department -----

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

A. Application Fee.....\$ _____

B. Expected Planning Consultant Review Cost\$ _____

C. Total Cost Expected of Applicant (A+B)\$ _____

D. 25% of Total Cost, Due at Time of Application.....\$ _____

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

☐ Yes ☐ No

The balance of the applicant's costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.

Section C: Agreement Execution

----- To be filled out by the Applicant and Property Owner -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant's proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.



Signature of Applicant/Petitioner



Printed Name of Applicant/Petitioner



Date of Signature

Signature of Property Owner (if different)

Printed Name of Property Owner (if different)

Date of Signature

MEMORANDUM

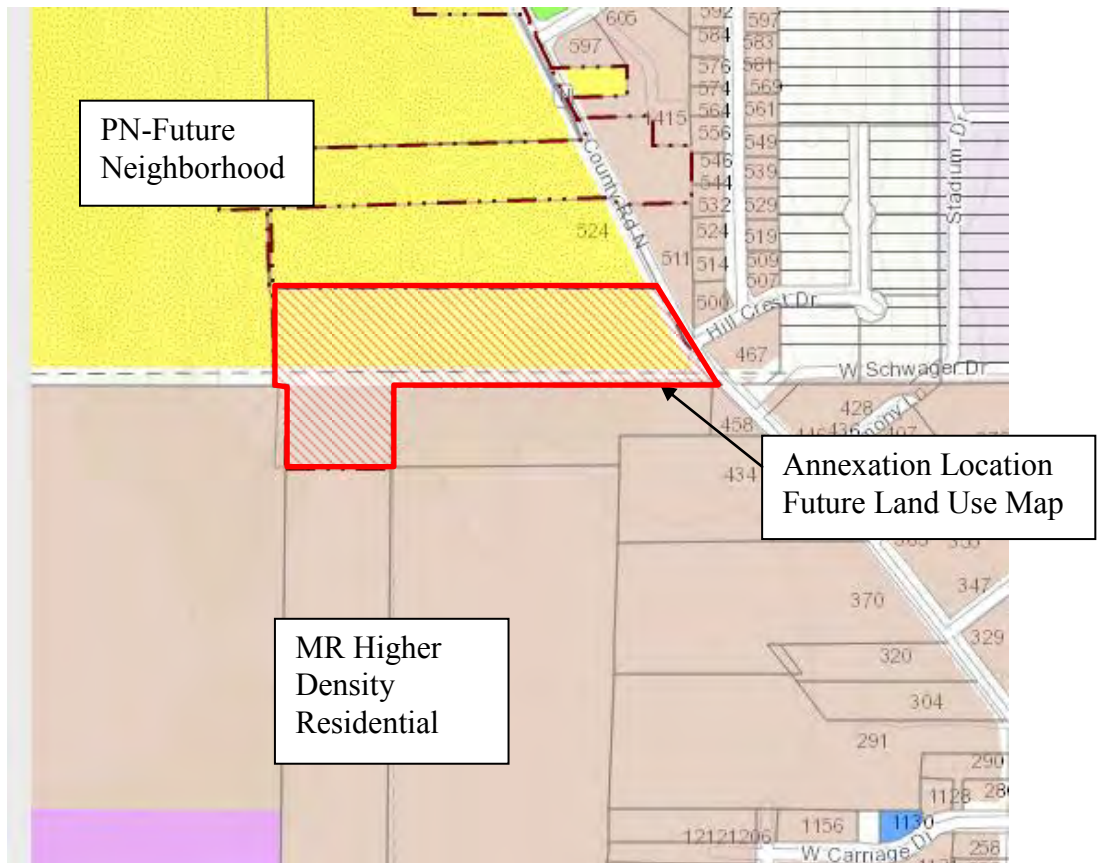
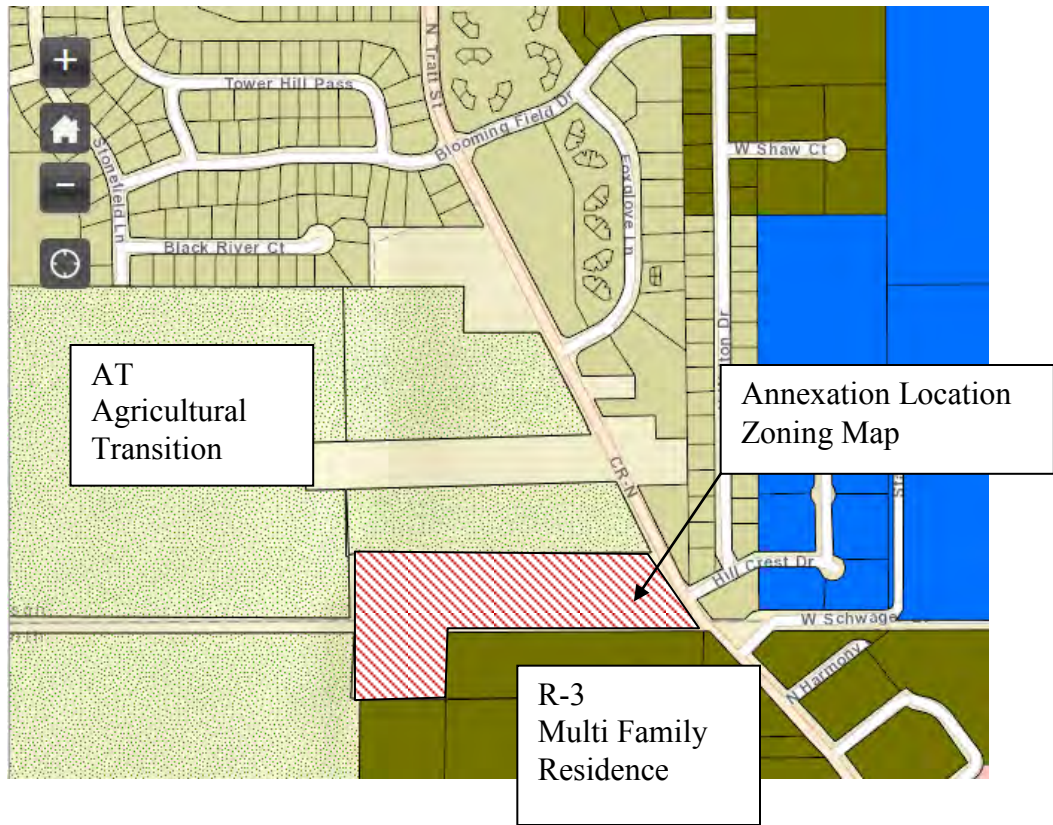
To: City of Whitewater Plan and Architectural Review Commission
From: Chris Munz-Pritchard City Planner
Date: August 14th 2017
Re: **Item # 7** Conceptual review of a proposed plat for the vacant land on the west side of N. Tratt Street (previously annexation of two parcels of land) Tax parcel number: 004-0515-3233-008 and D W600009.

Previous Request of Annexation: Carl Kienbaum and a representative from the Kienbaum Family Trust have filed a unanimous petition for direct annexation of roughly 10.6 acres to the City. The proposed annexation area is two contiguous parcels located in two counties on the north side of the city of Whitewater on the west side of Tratt Street. The first is located in the town of Cold Spring in Jefferson County, Wisconsin, and the second is located in the town of Whitewater in Walworth County, Wisconsin. The parcels, when combined, are surrounded by the City.

| <u>Property Address:</u> | <u>Tax ID #'s</u> | <u>Property Owner:</u> |
|---|---|------------------------|
| Vacant Land on the west side of N. Tratt Street | 004-0515-3233-008 Town of Cold Springs | Carl Kienbaum |
| | D W 600009 Town of Whitewater | Kienbaum Family Trust |

Relationship to City Plans: The City's current Comprehensive Plan (2030) Future Land Use Map shows this area as future neighborhood and higher density residential.

- Higher Density Residential: A variety of residential units, including rental apartment complexes, condominiums, townhouses, and some single- and two-family residences interspersed.
- Future Neighborhood : A carefully planned mix of primarily single-family residential development, including some two-family, higher density residential, and neighborhood-compatible business and institutional uses that are consistent with the residential character of the area (Page 66 of Comp Plan).



In the city of Whitewater, the West Whitewater Neighborhood Development Plan (adopted in 2002) this area is defined as mixed residential. Planned mixed residential areas are appropriate for two-family and multiple family residences, including condominiums and apartments. Mixed residential areas are also appropriate for retirement or elderly care communities, including medical and other services for residents. In general, planned mixed residential areas are located near major street intersections, commercial areas, and the university campus.



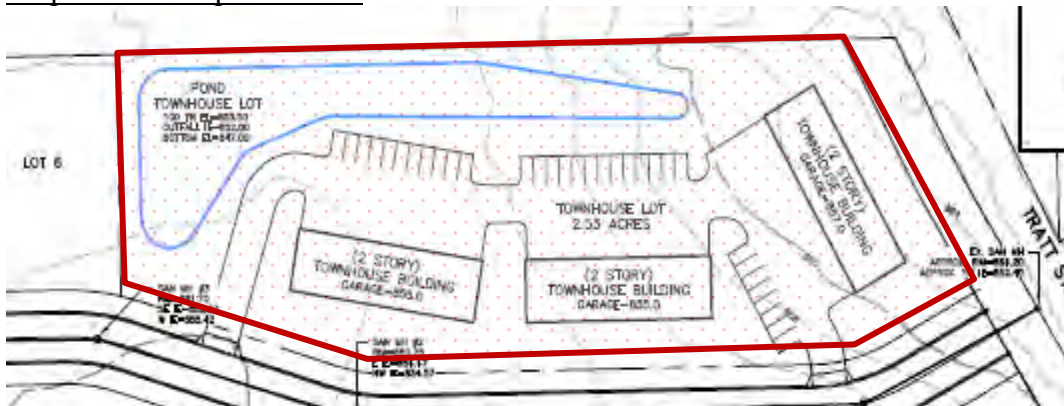
Recommended maximum development densities and building sizes for the various mixed residential areas are depicted on the attached map. This area is showing the 10 to 15 units per acre, which is university-oriented area: mixed residential area near the university. This area is planned for development densities of 10 to 15 units per net acre, not including the adjacent environmentally constrained lands shown on the plan map. Such development densities are appropriate given existing land uses in the area and the significant amount of land that should remain in open space in the southern part of these parcels. Care should be taken to assure to ensure such housing is creatively integrated into the neighborhood. The design of sites, landscaping, and buildings should be aesthetically pleasing. Monotonous building facades and box-like buildings typical of “student housing” should be avoided.

The functional improvement recommended in northwest Whitewater is under the 2035 Regional Transportation Plan which states: The City of Whitewater asked the Commission staff to reconsider the extension of Indian Mound Parkway between Main Street and Tratt Street, and as an alternative, consider the addition of a new east-west arterial between Main Street and Tratt Street along the Jefferson County line. A study of the extension of Indian Mound Parkway between Main Street and Tratt Street by the City of Whitewater indicated that the wetlands located along the planned route of the Indian Mound Parkway extension would likely prevent implementation of the planned extension of Indian Mound Parkway as shown on the plan. The new east-west arterial would provide a more desirable arterial spacing for existing and planned future development in the western portion of the Whitewater area. Like the Indian Mound Road extension, the

new east-west arterial is also recommended as a new facility in the City's development plan.

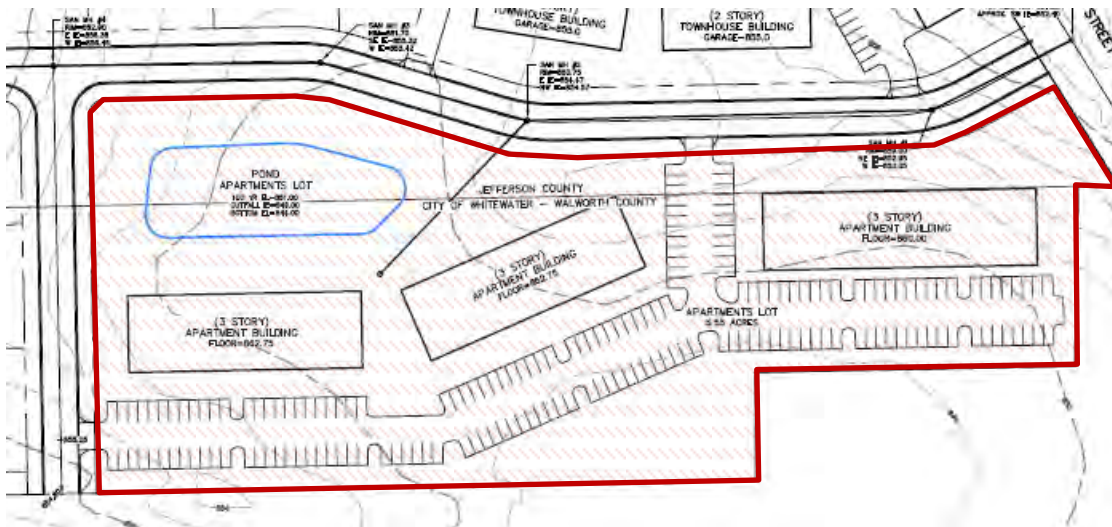


Proposed Concept Site Plan



In the northeast portion, located in Jefferson County proposed concept site plan are townhouses. The three, two story townhouses buildings are approximately 2.53 acres of the overall plan. The area is accounting for stormwater by adding a detention pond. This area can be zoned R-2 or R-3.

| | | | |
|-----|-----------------|-----------|--|
| R-2 | Conditional Use | 19.18.030 | Attached townhouse dwellings, up to four units per building: minimum lot area requirements for such uses shall be regulated by Chapter 19.21 |
| R-3 | Permitted Use | 19.21.020 | Multifamily dwellings and attached dwellings, up to four units per building. "Attached dwelling" means a one-family dwelling attached to two or more one-family dwellings by common vertical walls |



In the southeast portion located in Walworth and Jefferson County proposed concept site plan are apartment buildings. The three, three story townhouses buildings are approximately 5.55 acres of the overall plan. The lot straddles the county line, however all 3 apartment buildings are located in Walworth county. The area is accounting for stormwater by adding a detention pond. This area can be zoned R-3, and depending on the number of units could require a Conditional Use Permit.

| | | | | |
|-----|-----------------|-----------|--|---------------|
| R-3 | Permitted Use | 19.21.020 | Multifamily dwellings and attached dwellings, up to four units per building. "Attached dwelling" means a one-family dwelling attached to two or more one-family dwellings by common vertical walls | Up to 4 units |
| R-3 | Conditional Use | 19.21.030 | Multifamily dwellings and attached dwellings, over four units (new construction only); and two-family attached dwellings | Over 4 units |



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

NOTICE OF CONCEPTUAL REVIEW

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th day of August 2017 at 6:30 p.m. for a conceptual review of a proposed plat for the vacant land on the west side of N. Tratt Street (includes tax parcel numbers: 004-0515-3233-008 and D W 600009) for Ryan Hughes.

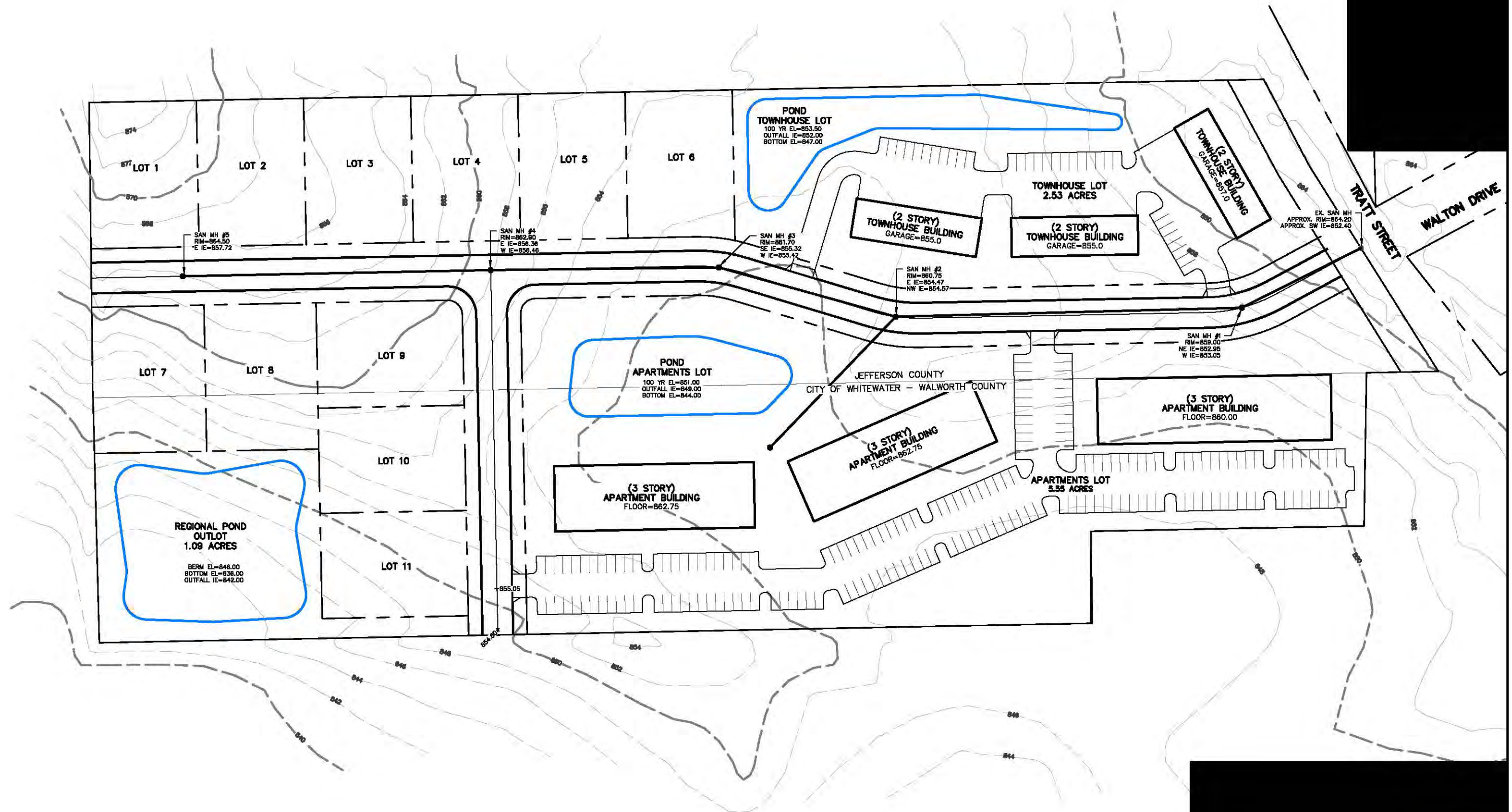
The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540.

Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-----------------|----------------------------------|---------------------|----------------------------|---------------|-------|-------|
| WALWORTH CTY | | | | | | |
| /WUP 00153 | TERRENCE L STRITZEL | | W5524 TRI-COUNTY RD | WHITEWATER | WI | 53190 |
| /WUP 00153A | KIENBAUM TRUST | | 318 S JANESVILLE ST | WHITEWATER | WI | 53190 |
| /WUP 00155 | LEE L DANIELS TRUST | | 3445 CEDAR DR | PARK CITY | UT | 84098 |
| /WUP 00157 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190 |
| /WUP 00354 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190 |
| /WUP 00356 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190 |
| D W 600009 | KIENBAUM FAMILY TRUST | | 318 S JANESVILLE ST | WHITEWATER | WI | 53190 |
| /HH 00003 | ROYAL INVESTMENTS LLC | | 219 MUIRFIELD CT | NORTH PRAIRIE | WI | 53153 |
| /HH 00005 | ROYAL INVESTMENTS LLC | | 219 MUIRFIELD CT | NORTH PRAIRIE | WI | 53153 |
| JEFFERSON CTY | | | | | | |
| 05-15-32-33-008 | CARL KIENBAUM | | P O BOX 276 | WHITEWATER | WI | 53190 |
| 05-15-32-33-009 | ST JOHNS EV LUTH CHURCH | | 120 S CHURCH ST | WHITEWATER | WI | 53190 |
| 05-15-32-33-010 | THOMAS J CROMOS | MARY OLSON | N149 COUNTY RD N | WHITEWATER | WI | 53190 |
| 05-15-31-44-000 | DLK ENTERPRISES INC | | PO BOX 239 | WHITEWATER | WI | 53190 |
| 05-15-32-34-003 | TIM A NELSON | MARY K NELSON | 524 N WALTON DR | WHITEWATER | WI | 53190 |
| 05-15-32-34-004 | MICHAEL A LONG | APRIL A LONG | N9406 BIG SPRING RD | WHITEWATER | WI | 53190 |
| 05-15-32-34-030 | BOARD OF REGENTS | STATE UNIVERSITIES | 142 E GILMAN ST | MADISON | WI | 53701 |
| 05-15-32-33-004 | GAYLE MERCER | | N148 CTY RD N | WHITEWATER | WI | 53190 |
| 05-15-32-33-006 | FREDRICK E HUFFMAN SR | SUSAN J HUFFMAN | N142 CTY RD N | WHITEWATER | WI | 53190 |
| 05-15-32-33-018 | ARTHUR W STRITZEL | KIRSTEN W STRITZEL | W396 S3675 HARDSCRABBLE RD | DOUSMAN | WI | 53118 |
| 05-15-32-33-007 | ARKI TRATT LLC | | W396 S3675 HARDSCRABBLE RD | DOUSMAN | WI | 53118 |
| 05-15-32-34-029 | RUSSELL R WALTON | KIMBERLY A WALTON | 1005 W MAIN ST. SUITE C | WHITEWATER | WI | 53190 |
| 05-15-32-34-000 | KENNETH J FOUCAULT | BARBARA E FOUCAULT | 500 N WALTON DR | WHITEWATER | WI | 53190 |
| 05-15-32-34-002 | MARLENE STRAIT TRUST | | 514 N WALTON DR | WHITEWATER | WI | 53190 |
| 05-15-32-34-028 | SCOTT G EHLERT | | 291 N COBURN LANE | WHITEWATER | WI | 53190 |
| 05-15-32-34-027 | NANCY S DADE | | 519 N WALTON DR | WHITEWATER | WI | 53190 |
| 05-15-32-34-026 | EUNICE M LEHNER | | 529 N WALTON DR | WHITEWATER | WI | 53190 |
| | RYAN HUGHES | | 1129 IRELAND DRIVE | WAUNAKEE | WI | 53597 |
| | UW-WHITEWATER | PLANNING DEPARTMENT | 800 W MAIN ST | WHITEWATER | WI | 53190 |



M E M O R A N D U M

To: City of Whitewater Plan and Architectural Review Commission

From: Christine Munz-Pritchard, City Planner

Date: August 14, 2017

Re: **Item # 8 Proposed** Conversion of existing single-family dwellings to two-family attached dwellings per Section 19.18.030 (B) at 209 N. Prairie St for RLA Properties LLC (Randall Aschbrenner).

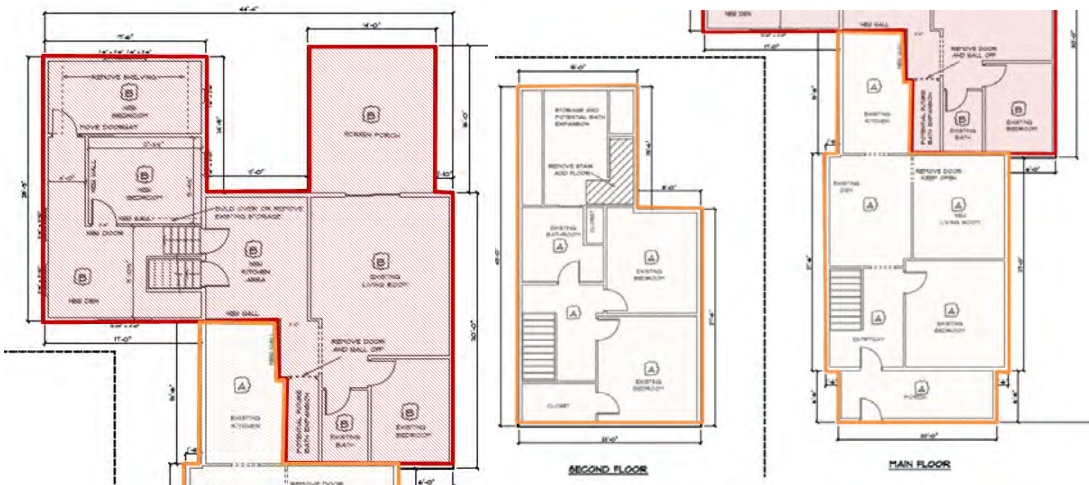
| Summary of Request | | |
|--|---|--|
| Requested Approvals: | Conversion of existing single-family dwellings to two-family attached dwellings per Section 19.18.030 (B) | |
| Location: | 209 N. Prairie St | |
| Current Land Use: | One Family Residential | |
| Proposed Land Use: | Conversion of existing single-family dwellings to two-family attached dwellings | |
| Current Zoning: | R-2 One and Two Family Residential | |
| | | |
| Surrounding <i>Zoning</i> and Current Land Uses: | | |
| Northwest: | R-2 One & Two-Family Residence District | Northeast: |
| <i>I Institutional</i> UW-Whitewater | | <i>R-O</i> One Family Residence Overlay District |
| | Subject Property | |
| Southwest: | R-2 One & Two-Family Residence District | Southeast: |
| <i>I Institutional</i> UW-Whitewater | | <i>R-O</i> One Family Residence Overlay District |

Description of the Proposal:

The existing dwelling is a single (one) family residence. This is a proposed conversion of existing single-family dwellings to two-family attached dwellings per Section 19.18.030 (B). Currently the lot size is unknown. No site plan was provided.



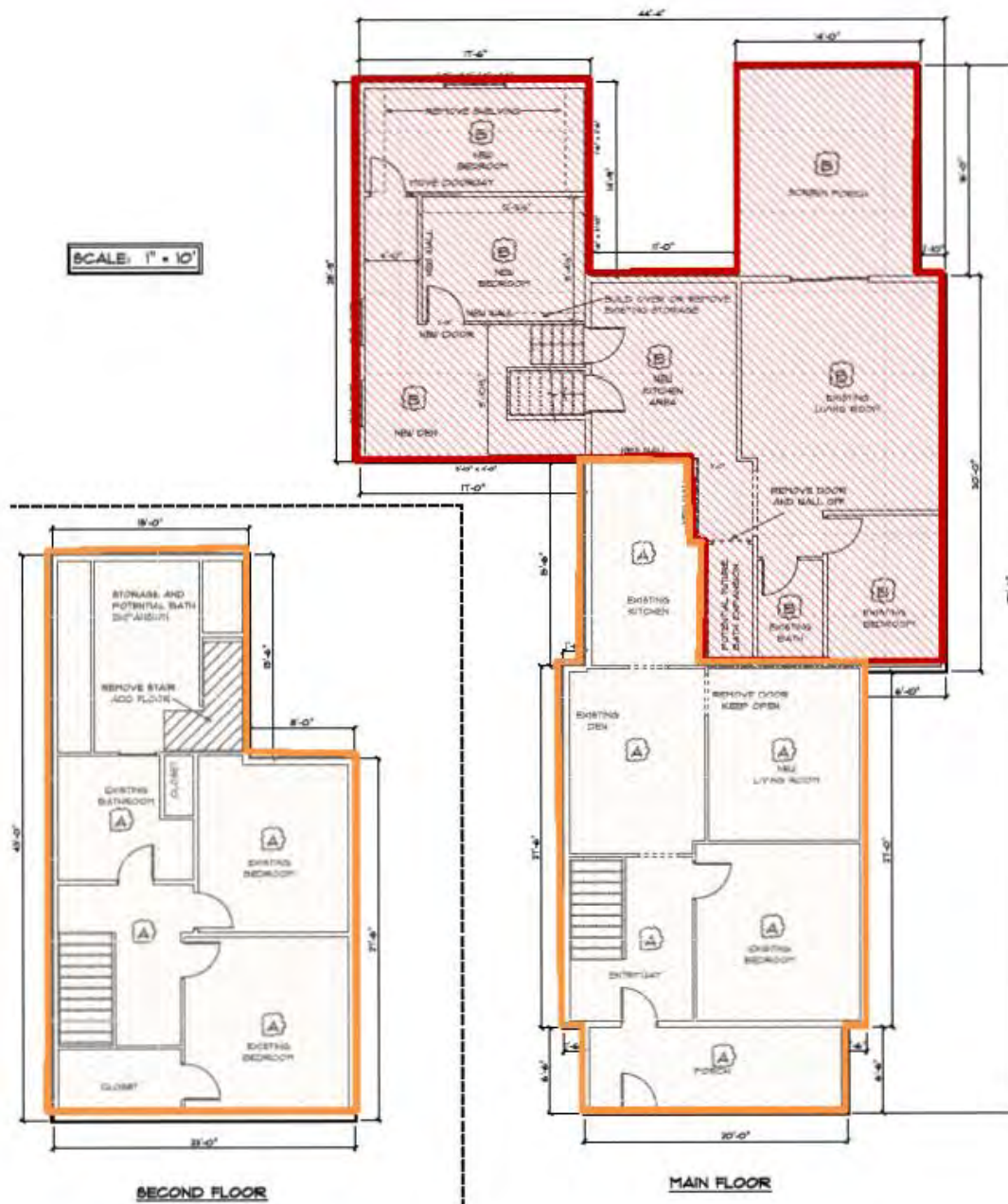
The conversion will have two units; this is referred to in the drawings as Unit A and Unit B. Unit A (orange) will be a three (3) bedroom, one (1) bath, kitchen, living room, porch and den. Unit B (red) will be a three (3) bedroom, one (1) bath, kitchen, living room, screen porch and den.



PLANNER'S RECOMMENDATIONS:

I recommend that the Plan and Architectural Review Commission approve the proposed conversion subject to the findings presented below:

1. 4 parking stalls will be required under 19.51.130. The drive is to be hard surfaced with concrete or asphalt. Residents will have numbered parking stalls, hanging tags or parking stickers to identify permitted vehicles. In accordance with this application parking shall be indicated on a map.
2. Landscaping or fencing shall be provided and installed for parking area (no site plan was provided).
3. The plans need to indicate the amount of impervious surface which must follow the standards of the R-2 District 19.18.070 Lot Coverage. The planner reserves the right to have engineering approve the amount of impervious surface (no site plan was provided).
4. The lot needs to meet the minimum lot area per 19.18.040 (B) of twelve thousand square feet for two-family (no site plan was provided).
5. This lot does not meet the minimal lot width for a duplex, however under *19.18.050 Lot width: A nonconforming lot that does not meet the minimum lot width above may be considered as a buildable lot if it: Meets all other standards including Section 19.60.050. Is reviewed and approved by the city plan and architectural review commission.* The lot is 66 feet, duplexes need to be 100 feet.
6. Each unit shall have no more than 3 unrelated per code 19.18.020 D. More than this will be a violation and shall result in the revoking of the Conditional Use Permit.
7. The exterior of the building needs to be consistent when finished. The finished building is to have the same color and material.
8. A Knox box will be placed on the building and approved by the fire department.
9. The building needs to meet the minimum usable floor area per 19.57.130 of City code.
10. Approval by Engineering, Building Inspector, Fire Inspector and other City departments.
11. Any other conditions identified by City Staff or the Plan Commission.



| Analysis of Proposed Conditional Use Permit for: 209 Prairie | | |
|---|------------|---|
| <i>Conditional Use Permit Review Standards per Section 19.66.050:</i> | | |
| STANDARD | EVALUATION | COMMENTS |
| 1. The establishment, maintenance, or operation of the conditional use will not create a nuisance for neighboring uses or substantially reduce the values of property. | Yes | This project will involve minimal exterior building modifications. |
| 2. Adequate utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | Yes | Parking configuration needs to be provided. |
| 3. The conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted in this ordinance or through variance. | Yes | No exemptions or variances are being requested. |
| 4. The conditional use conforms to the purpose and intent of the city master (comprehensive) plan. | Yes | The proposal stays within the R-2 zoning. |
| 5. The conditional use and structures are consistent with sound planning and zoning principles. | Yes | The project is consistent with the use and density requirements of the R-2 District and the Comprehensive Plan. |



Neighborhood Services Department
*Planning, Zoning, Code Enforcement, GIS
and Building Inspections*

www.whitewater-wi.gov
Telephone: (262) 473-0540

NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

A meeting of the PLAN AND ARCHITECTURAL REVIEW COMMISSION of the City of Whitewater will be held at the Municipal Building, Community Room, located at 312 W. Whitewater Street on the 14th day of August 2017 at 6:30 p.m. to hold a public hearing for a Conditional Use Permit, to allow for the conversion of a single family home into a duplex at 209 N. Prairie Street for RLA Properties (Randall Aschbrenner). (The property is currently owned by Geoff Hale.)

The proposal is on file in the office of the Zoning Administrator at 312 W. Whitewater Street and is open to public inspection during office hours Monday through Friday, 8:00 a.m. to 4:30 p.m.

This meeting is open to the public. COMMENTS FOR, OR AGAINST THE PROPOSED PROJECT MAY BE SUBMITTED IN PERSON OR IN WRITING.

For information, call (262) 473-0540


Chris Munz-Pritchard, Neighborhood Services Director/City Planner

| TaxKey | Owner1 | Owner2 | Address1 | City | State | Zip |
|-------------|--|------------------------|------------------------|---------------|-------|------------|
| /BUL 00001 | GEOFFREY R HALE | JACQUELINE A HALE | 599 S FRANKLIN | WHITEWATER | WI | 53190-0000 |
| /BUL 00002 | PHILIP S UHRICH | | 414 MIDDLESEX CT | BUFFALO GROVE | IL | 60089-0000 |
| /BUL 00003 | CERANSKE PROPERTY MANAGEMENT LLC | | N9503 WOODWARD RD | WHITEWATER | WI | 53190-0000 |
| /BUL 00004 | CERANSKE PROPERTY MANAGEMENT LLC | | N9503 WOODWARD RD | WHITEWATER | WI | 53190-0000 |
| /BUL 00005 | THOMAS W FOHT | LORI A FOHT | W144 N10761 LINCOLN DR | GERMANTOWN | WI | 53022-0000 |
| /BUL 00005A | DENISE REID HOHF | | 230 N. ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /BUL 00006 | LADWIG & VOS INC | | 140 LONGMEADOW DR | BURLINGTON | WI | 53105-0000 |
| /BUL 00007 | 243 NORTH PRAIRIE STREET LLC | | N1675 FAIRVIEW LN | FORT ATKINSON | WI | 53538-0000 |
| /BUL 00014 | 243 NORTH PRAIRIE STREET LLC | | 827 W MILWAUKEE | JEFFERSON | WI | 53549-0000 |
| /BUL 00014B | DEMING WANG | CHUNJU CHEN | 214 N. ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /BUL 00014C | LYNN M LINDAHL | | 240 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /EA 00003 | BOARD OF REGENTS OF STATE COLLEGES | | | WHITEWATER | WI | 53190-0000 |
| /EA 00004 | BOARD OF REGENTS OF STATE COLLEGES | | | WHITEWATER | WI | 53190-0000 |
| /FJ 00008 | JOHN D TRUESDALE TRUST | JEAN A TRUESDALE TRUST | 175 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00008A | JERRE C COLLINS | CATHERINE E COLLINS | 181 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00009 | WHITEWATER HOUSING SERVICES LLC | | 110 N FIRST ST | WHITEWATER | WI | 53190-0000 |
| /FJ 00010 | BRYAN F BISHOP | ROSE ANN BISHOP | 211 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00012 | CHARLES M BECKUM | MICHELLE M BECKUM | 219 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00013 | FRANCISCO PARTIDA GOMEZ | | 371 W ANN ST | WHITEWATER | WI | 53190-0000 |
| /FJ 00014 | JOHN W PATTERSON | | 231 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00016 | MATTHEW AKAMU GARCIA | SARA JOY GARCIA | 237 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00032 | RODERICK O DALEE | MARY M DALEE | PO BOX 660 | WHITEWATER | WI | 53190-0000 |
| /FJ 00033 | LEAVER TRUST | | 180 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00034 | NANCY A NOACK | | 204 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00034A | DEMING WANG | CHUNJU CHEN | 214 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00035 | CHRISTINE E NIESEN | SARAH E RADTKE | 222 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00037 | DENISE REID HOHF | | 230 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /FJ 00037A | LYNN M LINDAHL | | 240 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /PF 00004 | OAK SOCIETY INC | | PO BOX 28 | WHITEWATER | WI | 53190-0000 |
| /PF 00005 | BOARD OF REGENTS OF STATE COLLEGES | | | WHITEWATER | WI | 53190-0000 |
| /PF 00006 | BOARD OF REGENTS OF STATE COLLEGES | | | WHITEWATER | WI | 53190-0000 |
| /PF 00007 | BOARD OF REGENTS OF STATE COLLEGES | | | WHITEWATER | WI | 53190-0000 |
| /PF 00008 | BOARD OF REGENTS OF STATE COLLEGES | | 476 E. CAPITOL BLDG. | MADISON | WI | 53702-0000 |
| /PF 00009 | BOARD OF REGENTS OF STATE COLLEGES | | 276 E. CAPITOL BLDG. | MADISON | WI | 53702-0000 |
| /PF 00010 | BOARD OF REGENTS OF STATE UNIVERSITIES | | | WHITEWATER | WI | 53190-0000 |
| /PF 00016 | STATE TEACHERS COLLEGE | | | WHITEWATER | WI | 53190-0000 |
| /WUP 00099T | BRYAN F BISHOP | ROSE ANN BISHOP | 211 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |

| | | | | | | |
|-------------|-------------------|-------------------|-------------------|---------------|----|------------|
| /WUP 00099U | CHARLES M BECKUM | MICHELLE M BECKUM | 219 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /WUP 00109 | 161 N PRAIRIE LLC | | N1190 CTY TK N | WHITEWATER | WI | 53190-0000 |
| /WUP 00110 | 171 N PRAIRIE LLC | | N1190 CTY TK N | WHITEWATER | WI | 53190-0000 |
| /WUP 00110A | LEAVER TRUST | | 180 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| /WUP 00111 | LADWIG & VOS INC | | 140 LONGMEADOW DR | BURLINGTON | WI | 53105-0000 |
| /WUP 00112 | PHILIP S UHRICH | | 414 MIDDLESEX CT | BUFFALO GROVE | IL | 60089-0000 |
| /WUP 00112A | NANCY A NOACK | | 204 N ESTERLY AVE | WHITEWATER | WI | 53190-0000 |
| | U.W. WHITEWATER | | 800 W MAIN ST | WHITEWATER | WI | 53190-0000 |



Neighborhood Services Department
Planning, Zoning, GIS, Code Enforcement
and Building Inspections

www.whitewater-wi.gov
(262) 473-0143

CONDITIONAL USE PERMIT APPLICATION

Address of Property: 209 N. Prairie St.
Owner's Name: Geoff Hale
Applicant's Name: DLA Properties LLC c/o Randall Aschbrenner
Mailing Address: PO Box 511 McFarland, WI 53558
Phone #: 608-843-0606 Email: raschbrenner21@gmail.com
Legal Description (Name of Subdivision, Block and Lot of other Legal Descriptions): _____

Existing and Proposed Uses:

Current Use of Property: Single family R-2
Zoning District: R-2
Proposed Use: R-2 2 unit 3 unrelated/unit.

NOTICE: The Plan Commission meetings are scheduled on the 2nd Monday of the month. All complete plans must be in by 4:00 p.m. four weeks prior to the meeting.

Conditions

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, plantation, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

APPLICATION REQUIREMENTS

THE FOLLOWING INFORMATION MUST BE SUBMITTED IN ORDER TO CONSIDER THE APPLICATION COMPLETE:

1. Statement of use, including type of business with number of employees by shift.
2. Scaled plot plan with north arrow, showing proposed site and all site dimensions.
3. All buildings and structures: location, height, materials and building elevations.
4. Lighting plan: including location, height, type, orientation of all proposed outdoor lighting – both on poles and on buildings. Photometric plans may be required.
5. Elevation drawings or illustrations indicating the architectural treatment of all proposed buildings and structures.
6. Off-street parking: locations, layout, dimensions, circulation, landscaped areas, total number of stalls, elevation, curb and gutter.
7. Access: pedestrian, vehicular, service. Points of ingress and egress.
8. Loading: location, dimensions, number of spaces, internal circulation.
9. Landscaping: including location, size and type of all proposed planting materials.
10. Floor plans: of all proposed buildings and structures, including square footage.
11. Signage: location, height, dimensions, color, materials, lighting and copy area.
12. Grading /drainage plan of the proposed site.
13. Waste disposal facilities: storage facilities for the storage of trash and waste materials.
14. Outdoor storage, where permitted in the district: type, location, height of screening devices.

****Four (4) full size, Twenty (20) 11x17, and 1 Electronic Copy (include color where possible) site plan copies, drawn to scale and dimensioned.**

STANDARDS FOR REVIEW AND APPROVAL

The Plan and Architectural Commission shall use the following standards when reviewing applications for conditional uses. The applicant is required to fill out the following items and explain how the proposed conditional use will meet the standard for approval.

| STANDARD | APPLICANT'S EXPLANATION |
|--|--|
| A. That the establishment, maintenance, or operation of the Conditional Use will not create a nuisance for neighboring uses or substantially reduce value of other property. | property will fit in well with existing R-2 Zunit neighbors on each side of property. |
| B. That utilities, access roads, parking, drainage, landscaping, and other necessary site improvements are being provided. | updated and split Electrical service done after approval. Required parking arrangement followed up with perimeter landscaping and lighting - |
| C. That the conditional use conforms to all applicable regulations of the district in which it is located, unless otherwise specifically exempted by this ordinance. | Should meet regulations through permitted or CUP. |
| D. That the conditional use conforms to the purpose and intent of the city Master Plan. | Yes. property is very consistent with current neighborhood use. |

**Refer to Chapter 19.66 of the City of Whitewater Municipal Code, entitled CONDITIONAL USES, for more information.

Applicant's Signature: _____



Date: _____

6/28/17

Printed: _____

Randall Aschbrenner

TO BE COMPLETED BY THE NEIGHBORHOOD SERVICES DEPARTMENT

- 1) Application was filed and the paid fee at least four weeks prior to the meeting. **\$100.00 fee** filed on 6-28-17. Received by: J. Wegner Receipt #: 6.013303
- 2) Application is reviewed by staff members.
- 2) Class 1 Notice published in Official Newspaper on 8-3-17.
- 3) Notices of the Public Hearing mailed to property owners on 8-1-17.
- 4) Plan Commission holds the PUBLIC HEARING on 8-14-17. Public comments may also be submitted in person or in writing to City Staff.
- 5) At the conclusion of the Public Hearing, the Plan Commission will make a decision.

ACTION TAKEN:

Condition Use Permit: Granted _____ Not Granted _____ By the Plan and Architectural Review Commission

CONDITIONS PLACED UPON PERMIT BY PLAN AND ARCHITECTURAL REVIEW COMMISSION:

Signature of Plan Commission Chairperson

Date

Tips for Minimizing Your Development Review Costs: A Guide for Applicants

The City of Whitewater assigns its consultant costs associated with reviewing development proposals to the applicant requesting development approval. These costs can vary based on a number of factors. Many of these factors can at least be partially controlled by the applicant for development review. The City recognizes that we are in a time when the need to control costs is at the forefront of everyone's minds. The following guide is intended to assist applicants for City development approvals to understand what they can do to manage and minimize the costs associated with review of their applications. The tips included in this guide will almost always result in a less costly and quicker review of an application.

Meet with Neighborhoods Services Department before submitting an application

If you are planning on submitting an application for development review, one of the first things you should do is have a discussion with the City's Neighborhood Services Department. This can be accomplished either by dropping by the Neighborhood Services Department counter at City Hall, or by making an appointment with the Neighborhood Services Manager / City Planner. Before you make significant investments in your project, the Department can help you understand the feasibility of your proposal, what City plans and ordinances will apply, what type of review process will be required, and how to prepare a complete application.

Submit a complete and thorough application

One of the most important things you can do to make your review process less costly to you is to submit a complete, thorough, and well-organized application in accordance with City ordinance requirements. The City has checklists to help you make sure your application is complete. To help you prepare an application that has the right level of detail and information, assume that the people reviewing the application have never seen your property before, have no prior understanding of what you are proposing, and don't necessarily understand the reasons for your request.

For more complex or technical types of projects, strongly consider working with an experienced professional to help prepare your plans

Experienced professional engineers, land planners, architects, surveyors and landscape architects should be quite familiar with standard development review processes and expectations. They are also generally capable of preparing high-quality plans that will ultimately require less time (i.e., less cost for you) for the City's planning and engineering consultants to review, saving you money in the long run. Any project that includes significant site grading, stormwater management, or utility work; significant landscaping; or significant building remodeling or expansion generally requires professionals in the associated fields to help out.

For simpler projects, submit thorough, legible, and accurate plans

For less complicated proposals, it is certainly acceptable to prepare plans yourself rather than paying to have them prepared by a professional. However, keep in mind that even though the project may be less complex, the City's staff and consultants still need to ensure that your proposal meets all City requirements. Therefore, such plans must be prepared with care. Regardless of the complexity, all site, building, and floor plans should:

1. Be drawn to a recognized scale and indicate what the scale is (e.g., 1 inch = 40 feet).
2. Include titles and dates on all submitted documents in case pieces of your application get separated.
3. Include clear and legible labels that identify streets, existing and proposed buildings, parking areas, and other site improvements.
4. Indicate what the property and improvements look like today versus what is being proposed for the future.
5. Accurately represent and label the dimensions of all lot lines, setbacks, pavement/parking areas, building heights, and any other pertinent project features.
6. Indicate the colors and materials of all existing and proposed site/building improvements.
7. Including color photos with your application is one inexpensive and accurate way to show the current condition of the site. Color catalog pages or paint chips can be included to show the appearance of proposed signs, light fixtures, fences, retaining walls, landscaping features, building materials, or other similar improvements.

Submit your application well in advance of the Plan and Architectural Review Commission meeting

The City normally requires that a complete application be submitted four weeks in advance of the Commission meeting when it will be considered. The further in advance you can submit your application, the better for you and everyone involved in reviewing the project. Additional review time may give the City's consultant staff and staff an opportunity to communicate with you about potential issues with your project or application and allow you time to efficiently address those issues before the Plan and Architectural Review Commission meeting. Be sure to provide reliable contact information on your application form and be available to respond to such questions or requests in a timely manner.

For more complex projects, submit your project for conceptual review

A conceptual review can be accomplished in several ways depending on the nature of your project and your desired outcomes.

1. Preliminary plans may be submitted to City staff and/or planning consultant for a quick, informal review. This will allow you to gauge initial reactions to your proposal and help you identify key issues;
2. You may request a sit-down meeting with the Neighborhood Services Manager/ City Planner to review and more thoroughly discuss your proposal; and/or

3. You can ask to be placed on a Plan and Architectural Review Commission meeting agenda to present and discuss preliminary plans with the Commission and gauge its reaction before formally submitting your development review application.

Overall, conceptual reviews almost always save time, money, stress, and frustration in the long run for everyone involved. For this reason, the City will absorb up to \$200 in consultant review costs for conceptual review of each project.

Hold a neighborhood meeting for larger and potentially more controversial Projects

If you believe your project falls into one or both of these two categories (City staff can help you decide), one way to help the formal development review process go more smoothly is to host a meeting for the neighbors and any other interested members of the community. This would happen before any Plan and Architectural Review Commission meeting and often before you even submit a formal development review application.

A neighborhood meeting will give you an opportunity to describe your proposal, respond to questions and concerns, and generally address issues in an environment that is less formal and potentially less emotional than a Plan and Architectural Review Commission meeting. Neighborhood meetings can help you build support for your project, understand others' perspectives on your proposals, clarify misunderstandings, and modify the project and alleviate public concerns before the Plan and Architectural Review Commission meetings. Please notify the Neighborhood Services Manager / City Planner of your neighborhood meeting date, time, and place; make sure all neighbors are fully aware (City staff can provide you a mailing list at no charge); and document the outcomes of the meeting to include with your application.

Typical City Planning Consultant Development Review Costs

The City often utilizes assistance from a planning consultant to analyze requests for land development approvals against City plans and ordinances and assist the City's Plan and Architectural Review Commission and City Council on decision making. Because it is the applicant who is generating the need for the service, the City's policy is to assign most consultant costs associated with such review to the applicant, as opposed to asking the general taxpayer to cover these costs.

The development review costs provided below represent the planning consultant's range of costs associated with each particular type of development review. This usually involves some initial analysis of the application well before the public meeting date, communication with the applicant at that time if there are key issues to resolve before the meeting, further analysis and preparation of a written report the week before the meeting, meeting attendance, and sometimes minor follow-up after the meeting. Costs vary depending on a wide range of factors, including the type of application, completeness and clarity of the development application, the size and complexity of the proposed development, the degree of cooperation from the applicant for further information, and the level of community interest. The City has a guide called "Tips for Minimizing Your Development Review Costs" with information on how the applicant can help control costs.

| Type of Development Review Being Requested | Planning Consultant Review Cost Range |
|--|--|
| Minor Site/Building Plan (e.g., minor addition to building, parking lot expansion, small apartment, downtown building alterations) | |
| When land use is a permitted use in the zoning district, and for minor downtown building alterations | Up to \$600 |
| When use also requires a conditional use permit, and for major downtown building alterations | \$700 to \$1,500 |
| Major Site/Building Plan (e.g., new gas station/convenience store, new restaurant, supermarket, larger apartments, industrial building) | |
| When land use is a permitted use in the zoning district | \$700 to \$2,000 |
| When land use also requires a conditional use permit | \$1,600 to \$12,000 |
| Conditional Use Permit with no Site Plan Review (e.g., home occupation, sale of liquor request, substitution of use in existing building) | \$up to \$600 |
| Rezoning | |
| To a standard (not PCD) zoning district | \$400 to \$2,000 |
| To Planned Community Development zoning district, assuming complete GDP & SIP application submitted at same time | \$2,100 to \$12,000 |
| Land Division | |
| Certified Survey Map | Up to \$300 |
| Preliminary Subdivision Plat | \$1,500 to \$3,000 |
| Final Plat (does not include any development agreement time) | \$500 to \$1,500 |
| Annexation | \$200 to \$400 |

****Note:** The City also retains a separate engineering consultant, who is typically involved in larger projects requiring stormwater management plans, major utility work, or complex parking or road access plans. Engineering costs are not included above, but will also be assigned to the development review applicant. The consultant planner and engineer closely coordinate their reviews to control costs.

Cost Recovery Certificate and Agreement

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Section A: Background Information

----- To be filled out by the Applicant/Property Owner -----

Name of Applicant: Randall Aschbrenner

Applicant's Mailing Address: PO Box 511
McFarland, WI 53558

Applicant's Phone Number: 608-843-0606

Applicant's Email Address: raschbrenner2@gmail.com

Project Information:

Name/Description of Development: Single family to 2 unit conversion

Address of Development Site: 209 N. Prairie ST.

Tax Key Number(s) of Site: _____

Property Owner Information (if different from applicant):

Name of Property Owner: SAME

Property Owner's Mailing Address: SAME

Section B: Applicant/Property Owner Cost Obligations

----- To be filled out by the Neighborhood Services Department -----

Under this agreement, the applicant shall be responsible for the costs indicated below. In the event the applicant fails to pay such costs, the responsibility shall pass to the property owner, if different. Costs may exceed those agreed to herein only by mutual agreement of the applicant, property owner, and City. If and when the City believes that actual costs incurred will exceed those listed below, for reasons not anticipated at the time of application or under the control of the City administration or consultants, the Neighborhood Services Director or his agent shall notify the applicant and property owner for their approval to exceed such initially agreed costs. If the applicant and property owner do not approve such additional costs, the City may, as permitted by law, consider the application withdrawn and/or suspend or terminate further review and consideration of the development application. In such case, the applicant and property owner shall be responsible for all consultant costs incurred up until that time.

A. Application Fee.....\$ _____

B. Expected Planning Consultant Review Cost\$ _____

C. Total Cost Expected of Applicant (A+B)\$ _____

D. 25% of Total Cost, Due at Time of Application.....\$ _____

E. Project Likely to Incur Additional Engineering or Other Consultant Review Costs? < Yes < No

The balance of the applicant's costs, not due at time of application, shall be payable upon applicant receipt of one or more itemized invoices from the City. If the application fee plus actual planning and engineering consultant review costs end up being less than the 25% charged to the applicant at the time of application, the City shall refund the difference to the applicant.

Section C: Agreement Execution

----- To be filled out by the Applicant and Property Owner -----

The undersigned applicant and property owner agree to reimburse the City for all costs directly or indirectly associated with the consideration of the applicant's proposal as indicated in this agreement, with 25% of such costs payable at the time of application and the remainder of such costs payable upon receipt of one or more invoices from the City following the execution of development review services associated with the application.



Signature of Applicant/Petitioner

Randall Aschbrenner

Printed Name of Applicant/Petitioner

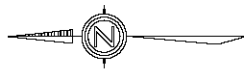
6/28/17

Date of Signature

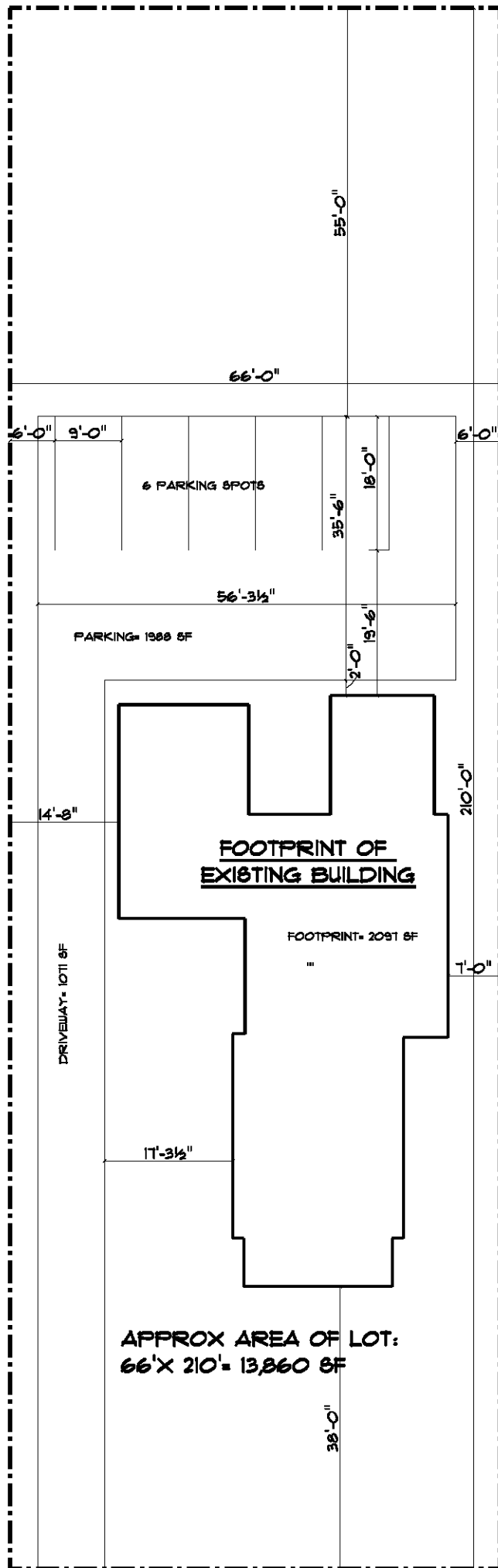
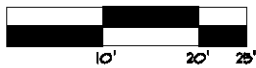
Signature of Property Owner (if different)

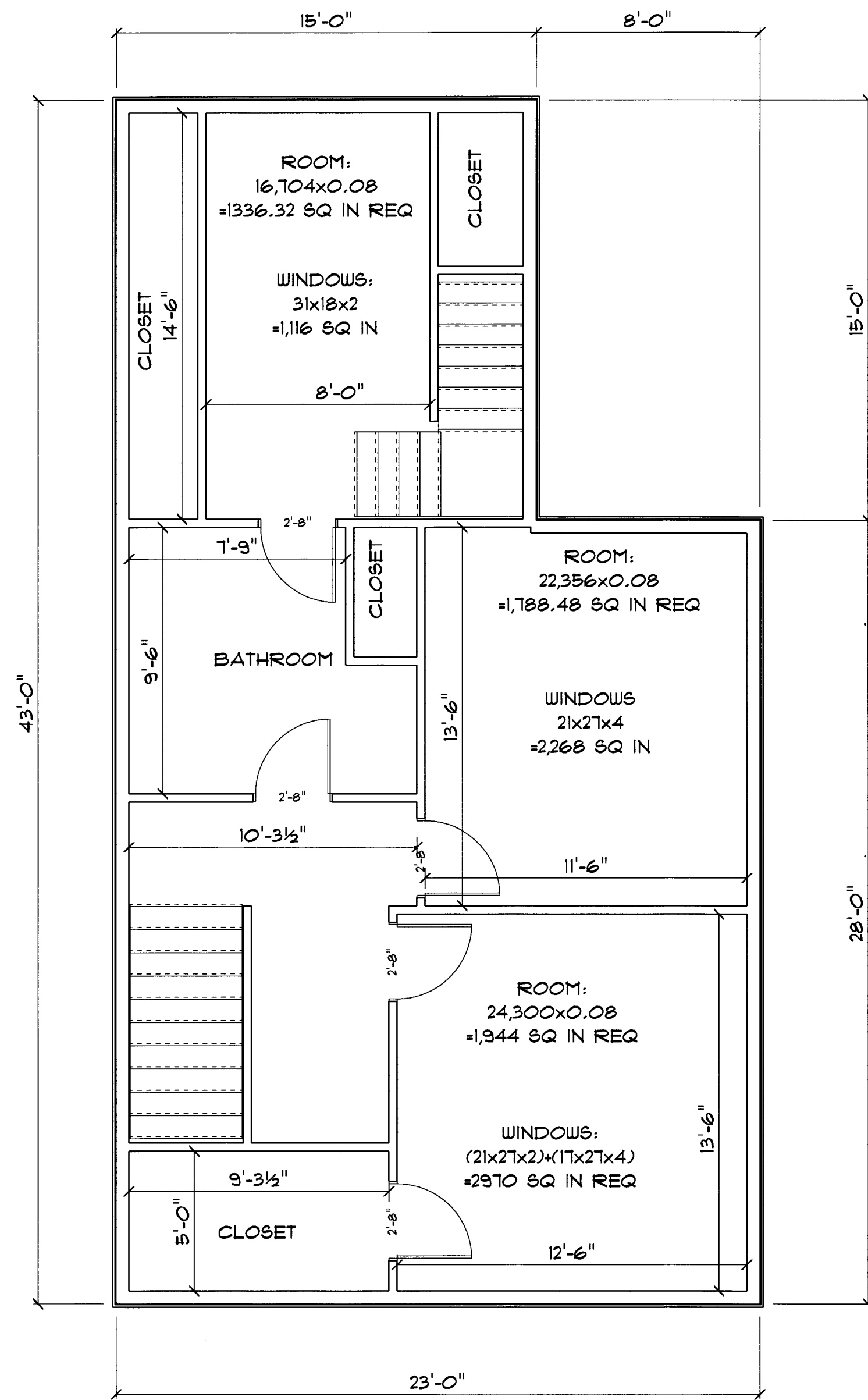
Printed Name of Property Owner (if different)

Date of Signature

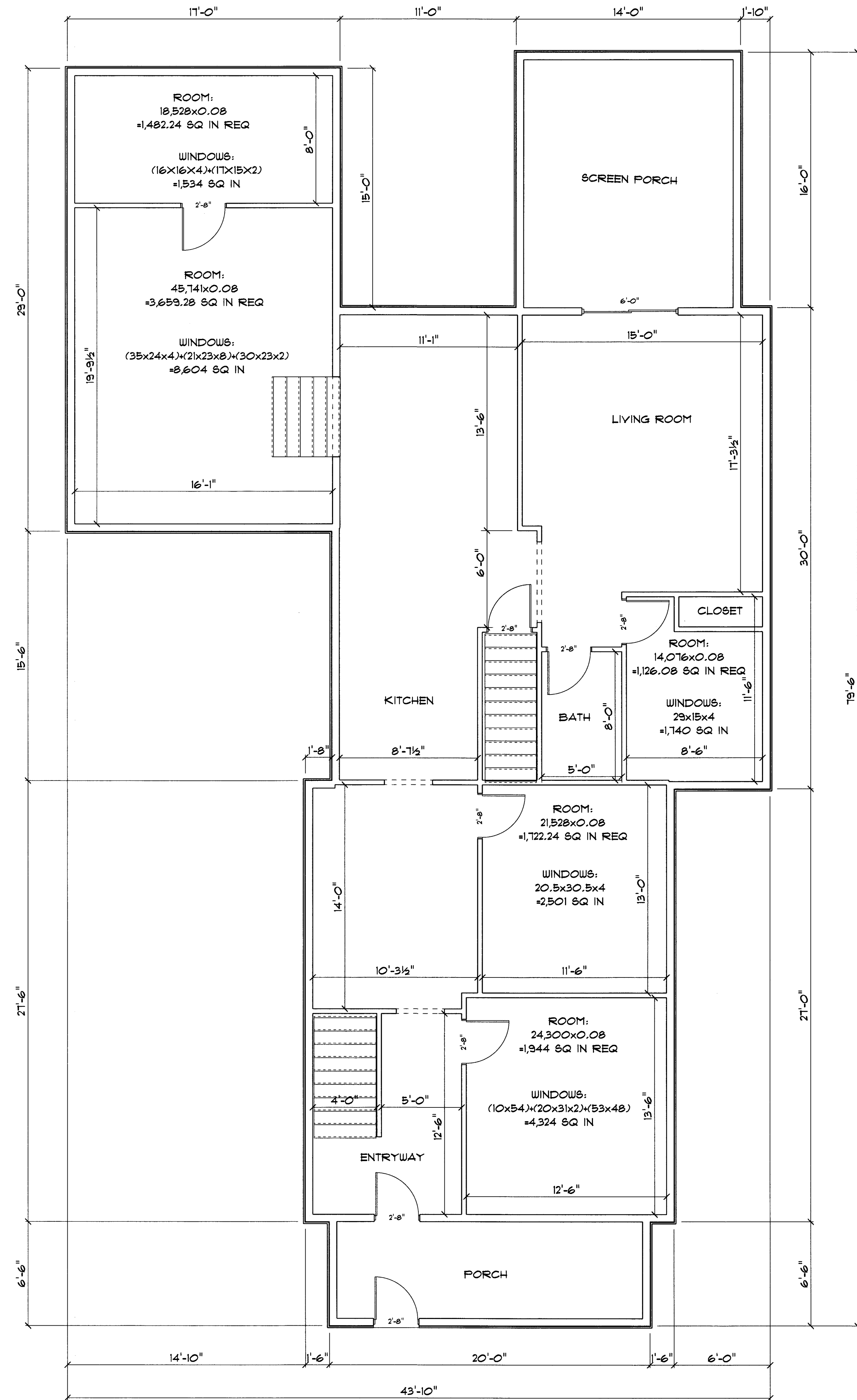


209 N. PRAIRIE ST
WHITEWATER, WI





SECOND FLOOR



MAIN FLOOR

EXISTING HOUSE DRAFT

RLA Properties LLC
208 PRAIRIE STREET
WHITEWATER, WI

608-843-0606

SCALE: 1/4"=1'-0"

SHEET TITLE: FLOOR PLANS

DRAWN BY: NICK CUMBLAD

PAGE:

1 of 1

DATE:

6/22/17

HOMELUMBER CO.

Whitewater, WI 53190
499 W. Whitewater Street
262-473-5538
www.homelumber.com

sales@homelumber.com

NOTE: ROOMS LABELED "EXISTING"
HAVE NO PHYSICAL CHANGES
OR CHANGES TO THE USE.



CITY OF WHITEWATER

312 W Whitewater Street
P.O. Box 178
Whitewater WI 53190
(262) 473-0540
www.whitewater-wi.gov

**NEIGHBORHOOD SERVICES
Application for Extraterritorial Jurisdiction****APPLICANT AND SUBJECT PROPERTY INFORMATION**

This Application is a request for an extraterritorial Jurisdiction. Please complete all items. Put N/A if not applicable. Attach additional pages as necessary.

NOTICE: The Plan Commission meetings are scheduled at 6:30 on the 2nd Monday of the month. Complete application materials must be submitted to the City Clerk by 4:00 p.m. four weeks prior to the meeting.

Address of Subject Property: _____

Jurisdiction (include County and Town) _____

Address of Subject Property Tax ID #: _____

Number of Lots Created: _____

Agent or Representative (Planner, Engineer, Architect, Attorney, etc.):

Applicant's Name: _____

Phone #: _____ Email: _____

Mailing Address: _____

Land Owner's Name and Contact Information: _____

The City of Whitewater Zoning Ordinance authorizes the Plan Commission to place conditions on approved conditional uses. "Conditions" such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, deed restrictions, highway access restrictions, increased yards or parking requirements may be affected. "Conditional Uses" may be subject to time limits or requirements for periodic review by staff.

The Plans submitted for approval shall be prepared by one or more persons in the following professions: Architecture, Landscape Architecture, Licensed Surveyor or Civil Engineering. (Should place stamp and seal on the appropriate drawings)

REQUESTED EXTRATERRITORIAL:

The following policies shall govern the city in approving major and minor subdivisions (plats and CSMs) within the extraterritorial jurisdiction (18.04.048) in order to protect rural character and farming viability, and to preserve future opportunities for orderly urban development and associated public utility extensions.

1. Will the lot(s) result in the filling in of areas surrounded or nearly surrounded by pre-existing subdivisions?
Yes: _____ No: _____
Other: _____
2. The subdivisions is recommended by adopted elements of the city's comprehensive (master) plan for development on private well and septic systems
Will the lot be on Private Well: _____
Will the lot be on Private Septic System (POWTS) : _____
3. The subdivision is allowed by intergovernmental agreement of the city and town;
Yes: _____ No: _____
Other: _____
4. The subdivision is consistent with the detailed policies of the County Agricultural Preservation and Land Use Plan for lands within the Agricultural Preservation Area, as described in that plan;
Yes: _____ No: _____
Other: _____
5. Conditions allowing for an exception or waiver under the provisions of Section 18.04.010(l) are or will be met.
Yes: _____ No: _____
Other: _____
6. The minimum lot size in the extraterritorial jurisdiction shall be one acre. A smaller lot size may be allowed if also approved by the appropriate town board.
Yes: _____ No: _____
Other: _____
7. The city will attempt to seek consistency with locally adopted town plans. To the extent that the adopted plans and policies of the city are more restrictive, the city's policies shall prevail with respect to city review of extraterritorial subdivisions, subject to the limitations in subsection (a)(1) above.
8. All subdivisions within the extraterritorial jurisdiction shall be subject to the park land reservation or dedication requirements made applicable to extraterritorial subdivisions under Section 18.04.030(g).

9. Subdivisions within the city's extraterritorial jurisdiction shall be required to follow erosion control plans in compliance with this chapter to the extent allowed by law, or town or county ordinances where at least as restrictive as comparable city ordinances.
10. The city council MAY require placement of covenants or deed restrictions that are deemed necessary and appropriate to protect the purpose and intent of the city's comprehensive (master) plan and ordinances. Any such restrictions shall be placed on the face of the certified survey map or plat, or on surrounding lands from which the lot or lots were created if necessary to verify the density.
11. All subdivisions located within the extraterritorial jurisdiction shall be designed to be served by city sanitary sewer and water in the future, with lands within the city's sewer service area subject to the additional requirements prescribed under Section 18.04.070(b). The city shall not extend its sanitary sewer and water facilities to lands located outside of the city's corporate limits.
12. Procedural requirements for subdivisions within the extraterritorial jurisdiction shall be identical to those required for subdivisions within the corporate limits of the city. In all cases, the time period within which action is required shall not begin until the city has received all maps, drawings and data required for plat or certified survey map approval. All subdivisions within the extraterritorial jurisdiction shall pay city-required review fees contained in this chapter.
13. Submittal requirements for subdivisions within the extraterritorial jurisdiction shall be identical to those required for subdivisions within the city limits.

I hereby Certify that the information supplied with this application is true and correct, and that the paper and electronic copies of the materials submitted are consistent with each other, to the best of my knowledge. In addition I have been given the Authority to sign on behalf of all the other parties involved.

The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, and recreation specialists) to assist in the City's review of an application for development review coming before the Plan and Architectural Review Commission, Board of Zoning Appeals, and/or Common Council. In fact, most applications require some level of review by the City's planning consultant. City of Whitewater staff shall retain sole discretion in determining when and to what extent it is necessary to involve a professional consultant in the review of an application.

The submittal of an application or petition for development review by an applicant shall be construed as an agreement to pay for such professional review services associated with the application or petition. The City may apply the charges for these services to the applicant and/or property owner in accordance with this agreement. The City may delay acceptance of an application or petition (considering it incomplete), or may delay final action or approval of the associated proposal, until the applicant pays such fees or the specified percentage thereof. Development review fees that are assigned to the applicant, but that are not actually paid, may then be imposed by the City as a special charge on the affected property.

Applicant Signature: _____ **Date:** _____

Print Name: _____

Land Owner's Signature: _____ **Date:** _____

Print Name: _____

**CHECKLIST
FOR COMPLETION BY APPLICANTS
AND REVIEW BY THE NEIGHBORHOOD SERVICES DEPARTMENT**

Please complete checklist and provide to Neighborhood Services Department along with application materials. If you have questions or need assistance, contact the Neighborhood Services Department. Put N/A if not applicable. Attach additional pages as necessary.

Plans to accompany application:

A Plot/Site Plan and a Floor Plan must be submitted by the Applicant as part of the required Application materials. The requirements for each are as follows:

Plot/Site Plans Checklist

- _____ Provide North arrow on site plan
- _____ Show location of property (label all abutting streets)
- _____ Show linear (bar) scale on site plan
- _____ Draw plan to-scale and fit on one 8.5 x 11 sheet of **graph paper**
- _____ Provide an “Existing Plot Plan” showing all existing items (see below) in solid lines or symbols
 - _____ Show all lot dimensions
 - _____ Show outline and dimensions of all buildings, structures and decks
 - _____ Show outline and dimensions of all paved areas including parking areas, driveways, curb cuts, sidewalks, walkways, patios and other concrete, blacktop or graveled areas
 - _____ Indicate the distance from buildings and paved areas to lot lines (i.e. setbacks)
 - _____ Indicate the distance between structures on the subject lot
 - _____ Indicate any known easements (i.e. utility or other)
- _____ Provide a “Proposed Site Plan” showing title and all changes to the “Existing Plot Plan”
(Suggestion: make a copy of the Existing Plot Plan and show all proposed changes in red and/or dashed lines to indicate proposed items and symbols)
- _____ Indicate the distance between property and buildings or structures on adjoining properties that are within 15 feet of the adjoining property line.
- _____ Indicate proposed parking location, number of spaces, dimensions, circulation, landscaped buffers, curb and gutter.
- _____ Indicate all points of ingress and egress (i.e. driveways) to the property and internal circulation (if any). Indicate if one- or two-way.
- _____ Indicate location of landscaping, trees and fencing
- _____ Indicate proposed lighting location and illumination level